



PARLIAMENT
OF THE CAYMAN ISLANDS



PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

Third Meeting of the 2023/2024 Session
Second Sitting

Tuesday
27 February, 2024
(Pages 1-33)

Hon. Sir Alden McLaughlin
Speaker

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PRESENT WERE:

Hon. Sir Alden McLaughlin, KCMG, MBE, KC, JP, MP
Speaker

MINISTERS OF THE CABINET

Hon. Juliana Y. O'Connor-Connolly, JP, MP	Premier and Minister of Finance, Education and District Administration & Lands
Hon. André M. Ebanks, MP	<i>Deputy Premier</i> , Minister of Financial Services & Commerce <i>and</i> Investment, Innovation & Social Development
Hon. Johany S. Ebanks, MP	Minister of Planning, Agriculture, Housing, Infrastructure and Transport & Development
Hon. Kenneth V. Bryan, MP	Minister of Tourism & Ports
Hon. Sabrina T. Turner, MP	Minister of Health & Wellness and Home Affairs
Hon. Katherine A. Ebanks-Wilks, MP	Minister of Sustainability & Climate Resiliency
Hon. Isaac D. Rankine, JP, MP	Minister of Youth, Sports and Heritage
Hon. Dwayne S. Seymour, OCI, JP, MP	Minister of Border Control & Labour and Culture

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, KC, JP	<i>Attorney General</i> , ex officio Member responsible for the Portfolio of Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon. Heather D. Bodden, OCI, Cert. Hon., JP, MP	<i>Deputy Speaker</i> , Parliamentary Secretary to Tourism <i>and</i> Social Development, Elected Member for Savannah
Mr. Bernie A. Bush, MP	Elected Member for West Bay North

OPPOSITION MEMBERS

Hon. Roy M. McTaggart, JP, MP	<i>Leader of the Opposition</i> , Elected Member for George Town East
Mr. Joseph X. Hew, MP	<i>Deputy Leader of the Opposition</i> , Elected Member for George Town North
Mr. Moses I. Kirkconnell, OBE, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Ms. Barbara E. Conolly, JP, NP, MP	Elected Member for George Town South
Mr. David C. Wight, JP, MP	Elected Member for George Town West

INDEPENDENT OPPOSITION MEMBERS

Mr. Christopher S. Saunders, MP	Elected Member for Bodden Town West
Hon. G. Wayne Panton, JP, MP	Elected Member for Newlands

APOLOGIES

Hon. W. McKeeva Bush, JP, MP	Elected Member for West Bay West
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OFFICIAL HANSARD REPORT
THIRD MEETING OF THE 2023/24 SESSION
TUESDAY
27 FEBRUARY, 2024
11.06 A.M.
Second Sitting

[Hon. Sir Alden McLaughlin, Speaker, presiding]

The Speaker: Good morning. Parliament has resumed. I would ask the Honourable Minister of Tourism and Ports to grace us with prayers.

PRAYERS

Hon. Kenneth V. Bryan, Minister of Tourism & Ports, Elected Member for George Town Central:
Thank you, Mr. Speaker.

Almighty God, from whom all wisdom and power are derived, we beseech thee so to direct and prosper the deliberations of the Parliament 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 the Cayman Islands.

Bless our Sovereign, King Charles, III; William, 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 Premier, the Speaker of Parliament, the Leader of Opposition, Ministers and Cabinet, ex officio members and Members of 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 all say the Lord's Prayer together: *Our Father who art in heaven, Hallowed be Thy name; Thy kingdom come, Thy will be done on earth, as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trust us 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: Amen. Please be seated.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

The Speaker: None.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

Centenarian Birthday Wishes

The Speaker: Members, yesterday was the 102nd birthday of Mrs. Viola Brown of Cayman Brac but who has lived in Grand Cayman for many, many years; known to most of us affectionately as Miss Vi. I know you will want to join me in wishing her a happy belated birthday.

I apologise, the distraction of the happenings of Sunday night, caused me— if not everyone else — to forget, because I did know of her birthday. Happy belated birthday, Miss Vi.

[Desk thumping]

The Speaker: Also, today is the 100th birthday of Mrs. Laurel Watler of Bodden Town, but more latterly of Northward. For those of you who do not know, she is the mother of former Principal Secretary for Tourism, Aviation and Trade, Mr. Harding Watler. Miss Laurel, happy 100th from the Parliament.

[Desk thumping]

Parliament Management Council

The Speaker: Members, I want to say a few things about the Parliament Management Council or, really, [about] the absence of sufficient meetings.

We, collectively, especially those of us who have been around for a while, have worked for the best part of twenty years to have the administration of the Parliament fall under Members of Parliament rather than the Executive but, for one reason or another, the Parliament Management Council has not been meeting regularly enough, quite frankly, to manage the affairs of the Parliament. Nature abhors a vacuum; somebody, or some entity, has to run the affairs of the Parliament.

From April to December, 2021, there were only three meetings; six meetings were cancelled. From January to December, 2022, there were only four meetings held; two meetings cancelled. From January to December, 2023 we had four meetings, and four were cancelled. Since I became Speaker, three meetings were called, none of which have been held.

The reason in almost every case has simply been, that we've not been able to get a quorum. Some members have said to me that they think the Act requires too many members, thus the quorum is too high. That may well be the case, but the only people that can fix that is us, by amending the Act.

I understand the responsibilities and duties of Ministers, especially the Premier. I know—I know—all it takes, but colleagues, if we do not manage the administrative end of this Parliament, sooner or later a means will be found for someone else to do so, and other people will wind up taking decisions because the business of Parliament has to carry on; it cannot manage itself.

Budgets have to be prepared, people have to get paid, all of the basic things which are part of the overall responsibilities of the Council, so I am pleading with all of us who have a role to play on the Council to give it more priority than hitherto we have done. The elected class of 2021 only have about a year to run before Parliament is dissolved in the run up to the next elections. Let's see how much we can get done in that time.

New Standing Orders

The other matter I want to mention—and this is good news—is that the Standing Orders Review Committee has met three times since we have become Parliament and we have made real progress. Thanks very much to all members, particularly the Attorney General, Mrs. Cheryl Neblett, and the Clerk. We intend to present a report with recommendations for new Standing Orders to the House, sufficiently in advance of the dissolution of the House that Members can have an opportunity to consider it and, hopefully, agree on a new form of Standing Orders, so that the next class of elected Members will have modern Standing Orders to operate with.

I thank you for your attention. Madam Clerk.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

REPORT OF THE STANDING BUSINESS COMMITTEE – SECOND MEETING OF THE 2023-2024 SESSION OF THE CAYMAN ISLANDS PARLIAMENT

The Speaker: Madam Premier.

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

Mr. Speaker, I beg to lay on the Table of this honourable House, the Report of the Standing Business Committee of the Second Meeting 2023-2024 Session of the Cayman Islands Parliament.

The Speaker: So ordered.

Madam Premier, do you wish to speak thereto?

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

The Speaker: Very well.

THE HEALTH INSURANCE COMMISSION ANNUAL REPORT 2021 IN REVIEW – 1ST JANUARY – 31ST DECEMBER 2021 – ISSUE NO. 15

The Speaker: The Honourable Minister for Health & Wellness and Home Affairs.

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

In accordance with section 11(4) of the Health Insurance Commission Act (2016 Revision), I beg to lay on the Table of this honourable House, the annual Report of the Health Insurance Commission and audited financial statements of the Segregated Insurance Fund for the 12-month period ending the 31st December, 2021.

The Speaker: So ordered.

Does the Honourable Minister wish to speak thereto?

Hon. Sabrina T. Turner: Very briefly to recognise the Health Insurance Commission's achievement in 2021, and publicly thank the Board and management of the Health Insurance Commission for their hard work and perseverance in producing the report.

In their opening messages within the report, both the Chairman of the Health Insurance Commission and the Director of the Department of Health's Regulatory Services rightly noted that patients deserve a high level of quality health care services, which requires all stakeholders in the healthcare and health insurance sectors to work together. I would, therefore,

like to acknowledge the contribution of the Health Insurance Commission in this regard; and assure this honourable House that the Ministry not only shares their sentiments, but also their efforts in achieving this greater goal.

I publicly invite Members to review the report in more detail, and I thank you, Mr. Speaker.

The Speaker: Thank you, Madam Minister.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

[Continued]

QUESTION NO. 13 RCIPS COMMUNITY POLICING VACANCIES

The Speaker: I recognise the honourable Member for George Town East, the 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 colleagues.

[Inaudible interjection]

The Speaker: Thank you for that reminder, Madam Clerk.

Madam Premier, may I invite you to move the suspension of Standing Order 23(7) and (8), in order that questions may be taken after the hour of 11 o'clock.

Suspension of Standing Order 23(7) and (8)

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Mr. Speaker, I move the Suspension of Standing Order 23(7) and (8), in order for questions to continue beyond the hour of 11a.m.

The Speaker: The Motion has been moved. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 23(7) and (8) suspended.

The Speaker: Honourable Leader of the Opposition.

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

Mr. Speaker, I rise to ask question number 13, standing in my name, to the Honourable Deputy Governor: Can the Honourable Deputy Governor inform the House how many vacancies there are within

the RCIPS (Royal Cayman Islands Police Service) for officers in neighbourhood policing teams and for police community support officers?

The Speaker: The Honourable Deputy Governor to answer.

The Deputy Governor, Hon. Franz I. Manderson: Good morning, Mr. Speaker, thank you.

Mr. Speaker, the answer:

The chart below offers an overview of the current staffing numbers and gaps within the Community Policing Teams of the RCIPS. Based on the overall figures, it has been determined that there are presently 23 personnel, including Community Safety Officers (CSO) across the three Islands. Therefore, with a capacity of 34 personnel, there exists a deficit of 11 personnel.

**Community Policing Division*

RCIPS – COMMUNITY POLICING			
Units	Current Strength	Future Establishment	Increase
George Town Police Station – CPD*	9	15	6
George Town Police Station – CSO**	1	2	1
West Bay Police Station – CPD	4	5	1
West Bay Police Station – CSO	1	2	1
Eastern Districts - CPD	6	7	1
Eastern Districts - CSO	2	3	1
Total	23	34	11

* Community Police Division

** Community Safety Officers

Those increases relate to the eleven vacancies currently in existence. Thank you, Mr. Speaker.

The Speaker: Thank you, Deputy Governor.

Supplementary

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker. Through you to the Deputy Governor: Can the Deputy Governor tell us whether there are any efforts to fill these vacancies at this time?

The Speaker: Honourable Deputy Governor.

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

Mr. Speaker, over the last few months the Commissioner of Police has been reviewing the vacancies to see how best he can deploy officers within the RCIPS—“*Well, where are my priorities at the moment? Do I fill these eleven vacancies, or do I increase my firearms unit; do I increase other units within the RCIPS where there is sufficient or a more urgent need?*” However, prior to and following Sunday’s events, the Premier met with the Commissioner and assured him, as recently as this morning, that if he needs additional officers, he can submit a request to the Government and it will certainly be entertained.

As you know, Community Safety Officers and the Community Police Division are key components of effective policing. I can say then, that the idea is to fill the vacancies and if the Commissioner needs resources elsewhere, the Government will give him the support.

The Speaker: Thank you, Deputy Governor.
Madam Clerk.

QUESTION NO. 14

UPDATE ON THE DELOITTE REPORT AND PUBLIC TRANSPORTATION IMPROVEMENTS

The Speaker: Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition, Elected Member for George Town North: Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask question number 14 in my name: Can the Honourable Minister update the House on:

- (a) Whether the Deloitte Report titled “Assessment of a Public Transport Strategy” has been accepted by Cabinet and is being actioned; and
- (b) What is being planned in the current budget to advance improvements in public transportation?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing, Infrastructure, Transport and Development to answer.

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

Speaker, the Ministry of Planning, Agriculture, Housing, Transport and Development launched the Cabinet-approved National Road Safety Strategy, a crucial step towards a safer transportation system.

We are actively engaging stakeholders to shape a transportation blueprint for the Cayman Islands, using data-driven decisions and inclusive practices, per the Ministry’s press release in November 2023; and in my address to this honourable House in December, we seconded experts from the UK’s Department for Transport, whose expertise is invaluable in this endeavour.

The answer to (b): Following the addition of Transportation to the Ministry’s portfolio in April 2023, Cabinet tasked our Ministry with creating a business case for the potential establishment of a Department of Transportation. This review will assess the roles of the National Roads Authority, the Department of Vehicle and Drivers’ Licensing, and the Public Transport Unit in our transportation sector.

Let me be clear, this marks the first instance of prioritising public transport. Previous administrations, particularly over the last several terms, have shown little to no support for public transport. As this lack of attention is exactly why we are grappling with the current issues in our transportation system, I respectfully request the public’s understanding, as we continue to restructure the requirements of public transport to ensure a comprehensive and inclusive approach.

We acknowledge the public’s concerns and I can assure you that our team is actively engaged in seeking solutions and advancing the evolution of our transportation system.

The Speaker: Thank you, Minister. Supplementary? The Honourable Deputy Leader of the Opposition.

Supplementaries

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker and I thank the Minister for that answer.

I did much swimming during triathlons back in the day so I can’t reach to pat myself on the back but if I could, I would just like him; that was very well done.

Mr. Speaker, if I could ask the Minister: How is he making the decision to establish a Department of Transportation; how have they made the decision to bring in the experts from the UK? Were these decisions made from the Deloitte Report, or have we just shelved the Deloitte Report and have decided to go in a completely different direction?

The Speaker: The Honourable Minister to answer.

Hon. Johany S. Ebanks: Mr. Speaker, absolutely not. We have not shelved the Deloitte Report. When Transport was given to the Ministry of Planning, the first

thing we looked for was great advice on how we could actually move transportation forward, so we had already spoken to the UK about help.

We shared the Deloitte Report for the people who were seconded to us to go through it and see how we can improve on a transportation system; so, both of them are working on it. The team from the UK is dissecting the Deloitte Report with the transport expertise that they bring to the table, to work out how we can put in a proper transportation system in this country.

The Speaker: Thank you, Honourable Minister.

Further supplementaries? The Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker. I thank the Minister for that.

Just for clarity: Am I to understand then, that the report has been accepted by Cabinet and it was decided to bring in a team of experts to carry out the report— or are the experts reviewing the report in order to present a report to Cabinet?

The Speaker: The Honourable Minister to answer.

Hon. Johany S. Ebanks: Mr. Speaker, as I mentioned, when the Planning Department team took over Transport, the first thing we looked at was getting help. We reached out to the UK to help us, and brought in the experts. At the time, the Deloitte Report was done by the Ministry of Tourism. We had already reached out to the experts once we were engaged. When the report came to us— which we have released it since the last sitting of the House— we went through it and took much information from it to try to get this right.

Mr. Speaker, there is really no right answer, right off the top of the head, when it comes to a transportation system. We can put anything in place, it may work, it may not. We have the UK experts, this is what they do for a living. We have tasked them with coming up with the best and most creative solution for the Cayman Islands, and I thank them for coming and helping us with this.

The Speaker: Thank you, Honourable Minister. [Any] further supplementaries?

Madam Clerk.

**QUESTION NO. 15
UPDATE ON COMPLETION OF
THE EDDIE SANCHEZ MEMORIAL PARK
IN RED BAY/PROSPECT AND THE
PROPOSED SEAFARERS PARK
BEHIND THE PARLIAMENT**

The Speaker: The Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I rise again to ask Question No. 15, in my name, to the Honourable Minister of Planning, Agriculture, Housing and Infrastructure, Transportation and Development.

Can the Honourable Minister update the House on the progress of completing the Eddie Sanchez Memorial Park in Red Bay/Prospect and the proposed Seafarers Park in George Town Central, just behind the Parliament?

The Speaker: The Honourable Minister of Planning, Agriculture Housing, Infrastructure, Transport and Development to answer.

Hon. Johany S. Ebanks: Mr. Speaker, I think you're getting used to the name now.

Mr. Speaker, let me start off with the Seafarers' Park. That project does not fall under Planning. It actually falls with the Cabinet Office, so I assume the question needs to be diverted either to the Deputy Governor or the Premier, for Cabinet Office.

Regarding the Eddie Sanchez Memorial Park, it has enjoyed significant development. Since we last met in this honourable House, much work has been done on the perimeter of the property with the construction of the reinforced concrete boundary wall; chain-link fencing; and foot-way connecting the parking area to the walking track, all completed in December, 2023.

The next enhancement will be by way of increased foliage— Mr. Speaker as you know, we reached out to you about getting some fruit trees for it too, we are still looking [for] them from you. The procurement and installation contracts have been awarded, and the proposed date for planting to start is March, 2024.

The Speaker: Honourable Minister, I think you left out the last paragraph.

Hon. Johany S. Ebanks: I can see how important this park is to you, sir. I was just checking to make sure you were there.

The Speaker: All the business of this House is important to me.

Hon. Johany S. Ebanks: After discussions with residents in the area, the Public Works Department is procuring the supply and installation of calisthenic and playground equipment. Procurement activity should be completed by Quarter 2, with all works on the Eddie Sanchez Park set for completion by the end of Quarter 3. Overall, steady progress has been made in the development of the park.

If there are any further questions or comments, please feel free to direct them to me.

The Speaker: Thank you, Honourable Minister. Supplementary?

Supplementary

The Speaker: Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker.

I thank the Minister for that answer; I will encourage the Honourable Speaker to get those fruit trees to you as soon as possible.

[Laughter]

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Once the park is completed, can the Honourable Minister say who will be responsible for its management?

The Speaker: The Honourable Minister to answer.

Hon. Johany S. Ebanks: Mr. Speaker, after that, like most parks, I think it will be Recreation, Parks [and Cemeteries Unit] that it will fall under. That's really all I can tell you right now.

The Speaker: Thank you, Honourable Minister. Any further Supplementary?

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker. I thank the Minister once again.

Changing gears, I'm not sure if the Minister could answer this, but... Can the Minister confirm whether the property that the proposed Seafarers' Park is to be situated on, over here behind the Parliament, is still in the Port Authority's control, or is it now with Government?

The Speaker: Honourable Minister, that is a bit outside. You've said that you don't have responsibility for it, but if you can answer it...

Hon. Johany S. Ebanks: Mr. Speaker, as I reported two minutes ago, that park does not fall under PAHITD, so I really can't answer the question. He needs to submit it to the appropriate Minister.

The Speaker: Thank you, Honourable Minister.
Madam Clerk.

QUESTION NO. 16 NATIONAL DEVELOPMENT PLAN

The Speaker: Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker.

I rise one final time to ask Question No. 16 in my name to the Honourable Minister of Planning, Agriculture, Housing, Infrastructure, Transport and Development. The question reads: Can the Honourable Minister advise the House on what progress is expected this year on reviewing the National Development Plan?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing, Infrastructure, Transport and Development to answer. Honourable Minister, I would like to shorten it, but I don't know how to pronounce it when I shorten it.

Hon. Johany S. Ebanks: You're doing very well, sir.

[Laughter]

Hon. Johany S. Ebanks: Mr. Speaker, according to the Development and Planning Act (2021 Revision), the Central Planning Authority (CPA) is vested with the duty to review and update the Development Plan on a regular basis.

In an effort to assist the CPA in this responsibility, a joint project team has been formed which includes representatives from the Ministry of Planning, Agriculture, Housing, Infrastructure, Transport and Development (PAHITD), the Ministry of Sustainability & Climate Resiliency (SCR), and the Department of Planning.

The first task in the Development Plan review is to update the 1997 Planning Statement using the PlanCayman National Planning Framework (NPF) document as a foundation. The updated Planning Statement will provide the legal basis to facilitate a new approach to the Development Plan, by creating eleven smaller area plans, as outlined in the National Planning Framework. The Area Plan approach allows local residents to have a say in shaping the physical development of their communities.

The Speaker: Thank you, Honourable Minister. Supplementary, Honourable Deputy Leader of the Opposition?

Supplementaries

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker and thank the Minister for that answer. If I am understanding it, Minister, we are updating the National Planning Framework formerly known as PlanCayman. That is being updated—

[Inaudible interjection]

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Okay, and you are changing the approach; instead of five zones, eleven smaller area plans?

[Inaudible interjection]

The Speaker: The Honourable Minister to answer—over the mic, please.

Hon. Johany S. Ebanks: Mr. Speaker, that is correct.

The Speaker: Thank you, Honourable Minister. Are there any further supplementaries?

Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Mr. Speaker. Could the Honourable Minister provide, if he is able, a timeline as to when we should see at least public consultation starting, or the process started, towards the review of these eleven smaller area plans?

The Speaker: The Honourable Minister to answer.

Hon. Johany S. Ebanks: Mr. Speaker, I don't have that timeline in front of me right now, but if it is okay with the Member I can put it in writing for him.

The Speaker: Thank you, Honourable Minister.
Madam Clerk.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have approved a statement to be delivered by the Honourable Minister for Planning, Agriculture, Housing, Infrastructure, Transport and Development.

Hon. Johany S. Ebanks

Hon. Johany S. Ebanks: Mr. Speaker, Honourable Members of this Parliament:

From revitalising agriculture for food security, to building a brighter tomorrow through affordable housing and safe roads, the past months have been a period of significant progress for the Ministry of Planning, Agriculture, Housing, Infrastructure, Transport, and Development— now known as PAHITD. Today I stand before you, not just to report the achievements, but to celebrate the tangible impact our work is having on the lives of each and every Caymanian.

Cultivating a Secure Future

Mr. Speaker, we are cultivating a secure future: agriculture is in bloom! Our dedication to revitalising agriculture as a cornerstone of our food security and economic diversification has borne fruit spearheaded by the LEADS action plan under the Cayman Islands Food and Nutrition Security Policy.

We have rekindled the allure of agriculture, making it an attractive and viable profession for the modern Caymanian. Initiatives like the East End Agro-Park, offering two-year lease options for agriculture; and the successful launch of the "Grown in Cayman" brand, not only supported local farmers but have also showcased Caymanian agriculture on the global stage.

Through the Cayman Cookout, we created invaluable connections for our farmers within the hospitality industry, both locally and internationally. This exposure, Mr. Speaker, highlighted the quality and diversity of our 'Farm to Table' agricultural products, from meats and herbs to jellies and sauces, underscoring both the success of our agro-processing courses, and the vibrancy of the sector, at the 55th [Annual] Agricultural Show.

With over 7,000 attendees including visiting Ministers from Montserrat, Jamaica, and the Bahamas, the show further highlighted our local agriculture, farming, and culture, strengthening Caribbean partnerships towards food security.

Our Jamaica Red Poll cattle display and thriving nucleus herd, with two calves born recently, exemplify the potential of our Livestock Development Programme. Set to be enhanced by the National Vaccine Programme for cattle and goats, these are all next steps in securing the development of our livestock.

Poultry Innovation and Education Centre

Mr. Speaker, continuing our ambitious strides in agriculture, Her Excellency the Governor Jane Owen, and the Honourable Premier Juliana O'Connor-Connolly, joined the official opening of the Poultry Innovation and Education Centre marking a monumental achievement. Integral to our Nest-Layer Initiative, this centre emerges as an example of innovation and knowledge in poultry farming. Symbolising our commitment to enhancing poultry production with advanced technologies and educational programmes, it positions the Cayman Islands at the forefront of sustainable practices [while] bolstering food security and supporting farmers with cutting-edge resources and training.

Advancing Public and Affordable Housing

Mr. Speaker, we have made substantial progress in addressing the critical need for affordable housing. Our Public and Affordable Housing Policy and the 10-Year Strategic Plan, informed by comprehensive consultations, are on the cusp of the survey phase. This initiative reflects our dedication to ensuring that every Caymanian has access to safe, affordable, and dignified housing, aligning with a broader vision of social equity and community well-being. It [also] lays the groundwork for a policy that will guide affordable housing development over the next decade.

National Housing Development Trust

Mr. Speaker, the topic of affordable housing brings me to the National Housing Development Trust (NHDT). Over the recent months, the NHDT has experienced pivotal changes, signalling a new phase in our journey towards addressing housing needs.

It brings me great pleasure to announce that on February 5th, the Board of Directors unanimously elected a new interim General Manager, Mr. Robert David Johnson. During my meetings with Mr. Johnson and the Board, I emphasised the critical need for affordable housing solutions; we must prioritise both streamlining processes and maximising efficiency to get people into homes quickly and cost-effectively.

Good governance, ensuring transparency and accountability as we deliver on our mandates, is paramount. Only through this combined focus can we truly address the housing challenges facing our community and build a brighter future for all.

National Development Plan (NDP)

Mr. Speaker, our strides in national development, spearheaded by the Central Planning Authority, have been both strategic and forward-looking. The NDP's Planning Statement, now in its final stages, will set a new direction for sustainable growth and development. This Planning Statement, incorporating extensive public consultations and strategic insights, serves as a blueprint for our islands' future, balancing growth with environmental stewardship and community values.

Road Safety Strategy

The National Road Safety Strategy, exemplified by the Road To Zero Pledge, "No More in 2024" campaign, marks a significant step forward towards zero road fatalities. This cross-government initiative embodies our holistic approach, from infrastructure enhancements to public awareness campaigns, and it is witness to our resolve to protect residents and visitors, ensuring the Cayman Islands remains a safe haven for all.

Enhanced Urban and Infrastructure Development

Mr. Speaker, Phase 2 of the George Town Revitalisation Initiative (GTRI) is underway, and it is not just transforming spaces; it's re-imagining the heart of our capital. GTRI's efforts have revitalised key areas making George Town more vibrant, accessible, and conducive to business and community activities. This initiative emphasises our commitment to sustainable urban development and improving the quality of life for our citizens.

Facilities Management and Public Works: Pillars of Progress

Mr. Speaker, the emergency evacuation plan for the Government Administration Building (GAB), is progressing steadily. Our Facilities Management Department ensures our public spaces and government buildings are maintained to the highest standards, focusing on sustainability, efficiency, and resiliency. Similarly, the Public Works Department consistently oversees infrastructure development projects that improve daily lives, from road improvements to critical public facilities. They were among first responders after the recent nor'wester, engaging with businesses, assessing damages and taking swift action.

Advancements in Transportation and Vehicle Services

The exploration into integrating the Department of Vehicle and Drivers' Licensing (DVDL), National Roads Authority (NRA), and Public Transport Unit (PTU) continues, aiming to streamline transportation services and enhance efficiency and safety on our roads, Mr. Speaker.

In speaking of DVDL, I am delighted to acknowledge Director David Dixon, for his exemplary work. The recipient of the Deputy Governor's Employee of the Month award for December 2023, Mr. Dixon's hard work and dedication have turned DVDL into a benchmark for customer service excellence among the best in civil service.

The Subsea Cable Project: Securing Our Digital Future

Mr. Speaker, the Subsea Cable Project represents a significant leap forward in our telecommunications infrastructure. This critical investment ensures the Cayman Islands remain competitive in the global digital economy. By enhancing our connectivity, reliability, and resilience, it safeguards our future as a leading financial and tourism destination. The project is progressing very well, and is truly an investment in our digital future that will benefit all Caymanians for generations to come.

Mr. Speaker, in conclusion, we have accomplished much, but our journey continues. Each milestone, each initiative, is evidence of the dedication and determination of countless individuals— from farmers tilling the soil, to engineers paving our roads; from policy-makers crafting the vision, to citizens lending their voices in consultations. This progress is not merely a reflection of the Ministry's work, but a collective triumph of the Caymanian spirit; yet, our journey is far from over.

The seeds we have sown today, must blossom into a brighter tomorrow, Mr. Speaker. We must continue to nurture agriculture, ensuring food security for

generations to come; we must build affordable homes, fostering a society where every Caymanian can dream a dream with a roof over their head; we must weave a tapestry of sustainable development, where progress and environmental stewardship intertwine.

Mr. Speaker, this is a call to action for each and every one of us. Join us in shaping the future you envision— a future where our children inherit a land [which is] not only prosperous, but sustainable, equitable, and brimming with opportunity. Let us work hand-in-hand, shoulder-to-shoulder, to build a Cayman Islands that not only thrives, but inspires.

Mr. Speaker, I'm not just reporting progress, I'm asking for a promise. Together, let's create a future where everyone thrives, and our Islands shine as a symbol of hope and strength. Let's build a Cayman that truly lives up to our Christian heritage, "He hath founded it upon the seas," just as it has been for generations. I offer this progress, and our ongoing journey, to this honourable House.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Minister.
Madam Clerk.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: I recognise the Honourable Minister of Tourism and Ports.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

Mr. Speaker, since the last Meeting of Parliament during Christmas last year, we unfortunately have lost a number of people within our community. As the Standing Orders allow, I want to recognise a few— not all, but a few— that have passed on from the George Town area.

The purpose for me rising today, is to let their families know that we mourn with them and that us too, shall miss the hearts and souls of these individuals. I'm certain that many of us will remember their names and who they were; I'm certain that Members will add other names that may be from their prospective districts, but these are a few in more recent times, as well as as far back as December, Mr. Speaker.

- Firstly, Mr. Stanley Clarke, Sr.;
- Secondly, Ms. Goldie Panton;
- Thirdly, Mr. Harley Felmon Seymour, better known as "Fel";
- Ms. Desiree Kelly;
- Ms. V. Juanita Powell;

- Mr. Ediston Solomon, better known in our community as "Eddie";
- Mr. Bossie Byrd;
- Ms. Lilly Marie McLean, known to me as Aunt Marie;
- Ms. Dania Cayasso;
- Mr. Brandon Gordon.

Our hearts continue to go out to our close colleague and friend, Ms. Donna Bush, on the recent passing of her son; also Mr. Alfred Haye, Sr.; and most recently, Mr. Ramon Alberga, OBE, KC.

On behalf of the constituents of George Town Central and my colleagues, I say to the families: "*We mourn with you, as you go through the transition of missing your loved ones at this time.*"

Thank you, Mr. Speaker.

The Speaker: The Lord giveth, and the Lord taketh. Blessed be the name of the Lord.
Madam Clerk.

[Inaudible interjection]

The Speaker: Oh, I'm sorry, I'm sorry, Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Sorry, Mr. Speaker. I thank you; my fault. I wasn't standing, so I didn't catch your eye.

Mr. Speaker, I crave your indulgence, in addition to recognising and joining the Honourable Minister in expressing condolences to the families of the names read out by him, to pay tribute, in particular, to the late Ramon Alberga, KC, a former dear colleague of ours, and a very iconic member of the legal profession of these Islands for over half a century. His tenure spanned Jamaica and the Cayman Islands, and he was quite a formidable advocate at the Bar.

He was involved in a number of landmark decisions, Mr. Speaker, and helped to shape the jurisprudence of these Islands, as well as being responsible in large measure for the law-reporting framework that we now have in place, where judgments are reported on a timely basis in our law reports. He was a giant, and he was aptly described as the *doyen*, or leader, of the local legal profession which, in my view, was certainly quite a fitting description given his leadership and his impact, Mr. Speaker. I certainly wish to convey my condolences to his son Michael and his entire family, his friends, and indeed, his colleagues.

Mr. Speaker whilst I have your ear, can I crave your indulgence to also mention, sadly, the passing of former Member of our Court of Appeal, Mr. Cecil Dennis Morrison, who was buried last week. He was truly a Caribbean icon who served not just in the Cayman Islands' Court of Appeal from 2015 to 2024, but in Belize, Turks and Caicos Islands and the Eastern Caribbean

as well as other places. I would like to convey condolences to his wife Janet and his entire family; friends and colleagues.

I thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Attorney General. Of course, you know better than most, of my long-standing relationship with Mr. Alberga, as we all called him, hence I regret deeply that I will not be here for his funeral services, which I understand will be held on the 9th of March.

Michael and I are very good friends, of course, so I thought I would share the note I sent to him following the news of his father's death:

"Mr. Alberga was special, and he taught me so much. I shall ever be indebted to him for his guidance, sage advice and friendship. He was initially unhappy with me leaving the law for politics, but when I became Premier, he wrote me a congratulatory letter which I prize. He was the best lawyer I ever worked with or against; and a wonderful, kind, and considerate human being. His contribution to Cayman's jurisprudence far eclipses that of any other at the Bar, and the name Ramon Alberga, KC shall redound through the ages.

May the pride in his achievements and contributions, and the many happy memories of your life with him, sustain you and your family at this time of great loss."

That is my tribute to probably the most able lawyer I've ever encountered in my life.

The Member for Savannah.

Hon. Heather D. Bodden, Deputy Speaker, Elected Member for Savannah: Thank you, Mr. Speaker.

I rise to offer sincere and heartfelt condolences to the DaCosta family on the loss of another Caymanian icon, Mr. Cardinal DaCosta. Though Mr. Cardinal will be missed, his songs will live on forever in all the local [radio] stations.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

As I told two of his nephews recently, another Caymanian legend has moved on.

The Honourable Member for George Town South.

Ms. Barbara E. Conolly, Elected Member for George Town South: Thank you, Mr. Speaker.

I, too, would like to join the Honourable Minister for Tourism in extending my condolences to the families of all those whom he mentioned earlier. I would also like to pass my condolences to Messrs. DaCosta and Alberga's families.

Also my classmate Robert Whittaker, whom I think worked for the Department of Labour and Pensions for many years and was the most recent Chairman of the Work Permit Board. I would like to extend my sincere condolences to all of his family.

Thank you.

The Speaker: Thank you, Honourable Member, and so do all of us.

Madam Clerk.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

COMMITTEE ON BILLS

The Speaker: Honourable Members, the House will now resolve itself into Committee for the purpose of considering the four Bills which received a Second Reading yesterday.

House in Committee at 12.04 p.m.

The Chairman: Please be seated. The House is now in Committee.

[Long pause]

The Chairman: With the leave of the House, may I assume that as usual, we should authorise the Honourable Attorney General to correct minor errors and such the like in these Bills?

[Inaudible interjections]

The Chairman: I thank you.

The first Bill we are considering is the mammoth Merchant Shipping Bill, 2023. The slight delay in us beginning was working out how best to deal with it so that we can finish before lunch.

Would the Clerk please state the Bill and read the clauses.

MERCHANT SHIPPING BILL, 2023

The Clerk:

Clause 1	Short Title
Clause 2	Interpretation
Clause 3	Cayman Islands ship
Clause 4	Qualifications for owning a Cayman Islands ship
Clause 5	Entitlement of ship to be registered under this Act
Clause 6	Representative person
Clause 7	Refusal of registration
Clause 8	Termination of registration
Clause 9	Penal liability
Clause 10	Registrar of Shipping

Clause 11	Register
Clause 12	Entries in register in relation to the property in a ship
Clause 13	Survey and measurement of ships
Clause 14	Marking of ship
Clause 15	Application for registration
Clause 16	Declaration of eligibility
Clause 17	Evidence of title on first registry

[Pause]

The Chairman: Are there any questions on clauses 1 to 17? [Pause] If not, I will put the question. The question is that clauses 1 to 17 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 17 passed.

The Clerk:

Clause 18	Entry of particulars in register
Clause 19	Documents to be retained by Registrar of Shipping
Clause 20	Port of registry
Clause 21	Certificate of registry
Clause 22	Custody of certificate
Clause 23	Penalty for use of improper certificate
Clause 24	Power to issue a new certificate
Clause 25	Duplicate certificates
Clause 26	Endorsement of change of ownership
Clause 27	Registration of ships chartered by demise to a qualified person
Clause 28	Consequences of registration under section 27(1)
Clause 29	Application of this Act where a ship is registered under section 27
Clause 30	Transfer of rights and obligations of charterer under the charter by demise
Clause 31	Rights and obligations relating to interests in ships registered under section 27(1)
Clause 32	Dispensations for ships chartered by demise and registered outside the Islands
Clause 33	Termination and revocation of dispensation granted under section 32
Clause 34	Flag to be used where a dispensation has been granted under section 32
Clause 35	Registration during the transfer of ownership
Clause 36	Consequences of registration under section 35
Clause 37	Provisions relating to application of this Act where a ship is registered under section 35
Clause 38	Definition of transferee in this Part

The Chairman: Are there any questions on clauses 18 to 38? [Pause] If not, I will put the question. The question is that clauses 18 to 38 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 18 to 38 passed.

The Clerk:

Clause 39	Rules as to name of ship
Clause 40	Offences
Clause 41	Registration of alterations
Clause 42	Offences
Clause 43	Procedure for registration of alterations
Clause 44	Transfer of registration from the Cayman Islands to the United Kingdom, a Crown Dependency or a British Overseas Territory
Clause 45	Transfer of registration from the United Kingdom, a Crown Dependency or a British Overseas Territory to the Cayman Islands
Clause 46	Tonnage of ships of foreign countries adopting tonnage regulations
Clause 47	Force of law of Tonnage Convention and tonnage regulations
Clause 48	Liabilities of unregistered ships
Clause 49	Application of this Act to unregistered ships
Clause 50	Termination of overseas registration
Clause 51	Requirement for insurance cover
Clause 52	Trusts, equitable interests and liabilities of beneficial interests
Clause 53	Registrar of Shipping may dispense with declaration or evidence
Clause 54	Returns to be made by Registrar of Shipping

The Chairman: Are there any questions on clauses 39 to 54? [Pause] If not, I will put the question. The question is that clauses 39 to 54 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 39 to 54 passed.

The Clerk:

Clause 55	Evidence of certificate of registry and other documents
Clause 56	Forms of documents
Clause 57	Forgery of documents
Clause 58	False declarations
Clause 59	Registration regulations

Clause 60	Certified copy of entry in register to be evidence	Clause 92	Discharge of seafarer when the ship ceases to be registered in the Islands
Clause 61	National character of ship to be declared before clearance	Clause 93	Payment of seafarers' wages
Clause 62	Offences relating to Cayman Islands character of ship	Clause 94	Account of seafarers' wages
Clause 63	Penalties	Clause 95	Power of Shipping Master to decide disputes on wages
Clause 64	National colours and penalty for carrying improper colours or not showing colours	Clause 96	Restriction on assignment of and charge upon wages
Clause 65	Proceedings on forfeiture of a ship	Clause 97	Power of court to award interest on wages due
Clause 66	Rights of owners and mortgagees	Clause 98	Allotment notes
Clause 67	Transfers	Clause 99	Right of person named in allotment note to sue in own name
Clause 68	Declaration of transfer	Clause 100	Protection of certain rights and remedies
Clause 69	Registration of transfer	Clause 101	Repatriation, relief and return of seafarers left behind are shipwrecked
Clause 70	Transmission of property in ship	Clause 102	Limit of employer's liability under section 101
Clause 71	Order for sale on transmission to unqualified person	Clause 103	Recovery of expenses from employer incurred for relief and return
Clause 72	Transfer of ship on sale by order of court	Clause 104	Recovery of expenses from seafarers
Clause 73	Powers of court	Clause 105	Right, or loss of right, to wages in certain circumstances
Clause 74	Mortgage of ship or share	Clause 106	Power to exempt from manning requirements
Clause 75	Priority of mortgages	Clause 107	Prohibition on going to sea undermanned
Clause 76	Entry of discharge of mortgage		
Clause 77	Protection of undischarged mortgage		
Clause 78	Mortgagee not owner and mortgagee's power of sale		
Clause 79	Mortgage not affected by bankruptcy		
Clause 80	Transfer of mortgages and transmission of mortgage interest by death, bankruptcy, etc.		

The Chairman: Are there any questions on clauses 55 to 80? *[Pause]* If not, I will put the question. The question is that clauses 55 to 80 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 55 to 80 passed.

The Clerk:

Clause 81	Definitions in Part 5
Clause 82	Force of law of the Maritime Labour Convention and STCW Convention
Clause 83	Application of this Part
Clause 84	Regulations made under this Part
Clause 85	Young persons
Clause 86	Production of certificates and other documents of qualifications
Clause 87	Crew's ability to communicate and knowledge of English
Clause 88	Unqualified seafarer going to sea as qualified person
Clause 89	Special certificates of competence
Clause 90	Seafarers' employment agreements
Clause 91	List of crew

The Chairman: Are there any questions on clauses 81 to 107? *[Pause]* If not, I will put the question. The question is that clauses 81 to 107 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 81 to 107 passed.

The Clerk:

Clause 108	Provision of food and water
Clause 109	Complaints about food or water
Clause 110	Expenses of medical care and other treatments
Clause 111	Obligation of shipowners as to seaworthiness
Clause 112	Shipowner's relief from liability for unseaworthiness
Clause 113	Uniform
Clause 114	Conduct endangering ship, persons, etc.
Clause 115	Disobedience
Clause 116	False statements for the purpose of obtaining a certificate
Clause 117	Breaches of Code of Conduct
Clause 118	Fitness or conduct of a seafarer
Clause 119	Inquiry into fitness or conduct of a seafarer
Clause 120	Rehearings and appeal from inquiry

Clause 121	Failure to deliver cancelled or suspended certificate
Clause 122	Civil liability for absence without leave
Clause 123	Civil liability for smuggling
Clause 124	Civil liability for fines under immigration laws
Clause 125	Official and other log books
Clause 126	Handing over of documents by master

The Chairman: Are there any questions on clauses 108 to 122? *[Pause]* If not, I will put the question. The question is that clauses 108 to 122 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 108 to 122 passed.

[Inaudible interjection]

The Chairman: I've been saying 122 all along. Are there any questions on clauses 123 to 126? *[Pause]* If not, I will put the question. The question is that clauses 123 to 126 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 123 to 126 passed.

The Clerk:

Clause 127	Definitions in Part 6
Clause 128	Force of law of Collision Convention
Clause 129	Application of this Part
Clause 130	Vessels to comply with Collision Convention
Clause 131	Signals of distress
Clause 132	Exemptions
Clause 133	Detention of ships
Clause 134	Persons to comply with Collision Convention
Clause 135	Collision liability
Clause 136	Inspection to enforce compliance with collision regulations
Clause 137	Duty to render assistance following collision
Clause 138	Offence
Clause 139	Master to notify hazards to navigation
Clause 140	Master to proceed moderately in danger area
Clause 141	Duty to assist ships in distress
Clause 142	Right to requisition ships when in distress
Clause 143	Duty to assist persons in danger at sea

Clause 144	Application of duties imposed by sections 141 to 143 and penalties for failure to comply and salvage rights
Clause 145	Reports of accidents to ships
Clause 146	Apprehended loss of ship
Clause 147	Record of boat drill to be kept in official log book
Clause 148	Collision regulations
Clause 149	Definitions and application
Clause 150	Establishment and management of aids
Clause 151	Nautical publications, charts and other information
Clause 152	Prosecution of offences relating to aids
Clause 153	Detention of ships
Clause 154	Fire or lights detrimental to navigation
Clause 155	Characteristics of aids

The Chairman: Madam Clerk, I think we need longer arms or bigger print.

[Laughter]

The Chairman: Are there any questions on clauses 127 to 155? *[Pause]* If not, I will put the question. The question is that clauses 127 to 155 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 127 to 155 passed.

The Clerk:

Clause 156	Definitions in Part 7
Clause 157	Force of law of Safety Convention
Clause 158	Application of this Part
Clause 159	Exemptions
Clause 160	Safety at sea regulations
Clause 161	Regulations providing for exemptions
Clause 162	Surveyor's duties
Clause 163	Surveyor to report to Chief Executive Officer
Clause 164	Responsibilities of owner and master
Clause 165	Procedure to be adopted when the ship, including its structure, machinery and equipment is deficient
Clause 166	Issue of certificates
Clause 167	Forms of certificates
Clause 168	Duration and validity of certificates
Clause 169	Issue and duration of exemption certificates
Clause 170	Extension and other provisions
Clause 171	Issue and endorsement of certificates by another government
Clause 172	Ships not registered in the Islands and to which the Safety Convention applies

Clause 173	Cancellation of a certificate	Clause 207	Load line regulations
Clause 174	Posting-up of certificates	Clause 208	Application of Annexes to 1966 Convention and 1988 Protocol
Clause 175	Prohibition on proceeding to sea without the appropriate documentation	Clause 209	General compliance
Clause 176	Limit on the number of passengers on passenger ships	Clause 210	Obligations of Assigning Authority
Clause 177	Offences	Clause 211	Exemptions
Clause 178	Power to detain	Clause 212	Equivalents
Clause 179	Penalty for non-compliance with conditions of exemption certificates	Clause 213	Repair, alterations and modifications
Clause 180	Inspection of ships holding Safety Convention certificates	Clause 214	Zones and areas
Clause 181	Ships to carry stability information	Clause 215	Submersion of load lines
Clause 182	Local safety certificates regulations	Clause 216	Initial, renewal and annual surveys
Clause 183	Application of the ISPS code	Clause 217	Maintenance of conditions after survey
Clause 184	Exemptions	Clause 218	Issue of Convention certificates
Clause 185	Maritime security regulations	Clause 219	Issue or endorsement of International Load Line Certificates by another Government and on behalf of other Contracting Governments
Clause 186	Responsibility for ship security	Clause 220	Form of Convention certificates
Clause 187	Responsibility for setting security levels	Clause 221	Duration and validity of an International Load Line Certificate
Clause 188	Alternative security agreements	Clause 222	Extension of periods of validity of an International Load Line Certificate
		Clause 223	Duration and validity of an International Load Line Exemption Certificate
		Clause 224	Procedure to be adopted when a ship is deficient
		Clause 225	Cancellation of International Load Line Certificates and surrender of Convention certificates
		Clause 226	Acceptance of Convention certificates
		Clause 227	Control of non-Cayman Islands ships holding a valid Convention certificate
		Clause 228	Authorisation of removal, etc., of appropriate marks
		Clause 229	Record of conditions of assignment
		Clause 230	Detention
		Clause 231	Offences
			The Speaker: Are there any questions on clauses 189 to 231? <i>[Pause]</i> If there are no questions, I will put the question. The question is that clauses 189 to 231 do stand part of the Bill. All those in favour, please say Aye. Those against, No.
			AYES.
			The Speaker: The Ayes have it.
			Agreed: Clauses 156 to 188 passed.
			The Clerk:
Clause 189	Definitions in Part 8		
Clause 190	Application of this Part		
Clause 191	Restriction on operation of submersible craft		
Clause 192	Register of submersible craft		
Clause 193	Requirements for registration of submersible craft		
Clause 194	Grounds for refusing registration		
Clause 195	Notification of changes affecting submersible craft and amendment of particulars		
Clause 196	Termination of registration		
Clause 197	Display of registration number		
Clause 198	Regulations for construction, equipment, etc., of submersible craft		
Clause 199	Issue, duration, extension, suspension, etc., of safety certificates		
Clause 200	Inquiries and investigations		
Clause 201	Offences		
Clause 202	Service of documents and notices in proceedings		
Clause 203	Detention		
Clause 204	Definitions in Part 9		
Clause 205	Force of law of 1966 Convention and 1988 Protocol		
Clause 206	Application		
			The Speaker: Are there any questions on clauses 189 to 231? <i>[Pause]</i> If there are no questions, I will put the question. The question is that clauses 189 to 231 do stand part of the Bill. All those in favour, please say Aye. Those against, No.
			AYES.
			The Speaker: The Ayes have it.
			Agreed: Clauses 189 to 231 passed.
			The Clerk:
		Clause 232	Definitions in Part 10
		Clause 233	Application
		Clause 234	Bulk cargo regulations
		Clause 235	Carriage of grain
		Clause 236	Delivery of notice and offence
		Clause 237	Dangerous goods regulations

Clause 238	Carriage and marking of dangerous goods	Clause 269	Life salvage
Clause 239	Offence relating to dangerous goods	Clause 270	Salvage of cargo
Clause 240	Rejection and disposal of dangerous goods by ship	Clause 271	Services excluded from salvage remuneration
Clause 241	Forfeiture of dangerous goods	Clause 272	Conditions for salvage remuneration
Clause 242	Power to detain unsafe ships	Clause 273	Salvage contracts
Clause 243	Any question relating to unreasonable cause and compensation	Clause 274	Annulment or modification of contracts
Clause 244	Owner and master liable in respect of unsafe ship	Clause 275	Duties of salvor
Clause 245	Use of unsafe lighters, etc.	Clause 276	Duties of owner and master
Clause 246	Owner liable for unsafe operation of ship	Clause 277	Powers of Receiver
		Clause 278	Criteria for fixing salvage rewards
		Clause 279	Responsibility for payment of reward
		Clause 280	Quantum of reward
		Clause 281	Special compensation
		Clause 282	Services rendered under existing contract

The Speaker: Are there any questions on clauses 232 to 246? *[Pause]* If not, I will put the question. The question is that clauses 232 to 246 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Clauses 232 to 246 passed.

The Clerk:

Clause 247	Definitions in Part 12
Clause 248	Appointment and powers of Receiver of Wrecks
Clause 249	Fees of Receiver
Clause 250	Duty of Receiver where vessel in distress
Clause 251	Power of Receiver in case of vessel in distress
Clause 252	Power to pass over adjoining land
Clause 253	Duties of finder, etc., of wreck
Clause 254	Provisions as respects cargo, etc.
Clause 255	Receiver to give notice of wreck
Clause 256	Claims of owners to wreck
Clause 257	Immediate sale of wreck in certain cases
Clause 258	Right of Government to unclaimed wreck
Clause 259	Notice of unclaimed wreck to be given to persons entitled
Clause 260	Disposal of unclaimed wreck
Clause 261	Effect of delivery of wreck, etc., under this Part
Clause 262	Offence of taking wreck to foreign port
Clause 263	Offence of interfering with wrecked vessel or wreck
Clause 264	Powers of entry, etc.
Clause 265	Release of goods from customs control
Clause 266	Force of law of Salvage Convention
Clause 267	Non-application to platforms and drilling units
Clause 268	Non-application to foreign state-owned vessels

Clause 283	Apportionment between salvors
Clause 284	Salvor's misconduct
Clause 285	Maritime lien
Clause 286	Duty to provide security
Clause 287	Interim payment
Clause 288	State-owned cargoes
Clause 289	Humanitarian cargoes
Clause 290	Determination of salvage dispute
Clause 291	Appeal in case of salvage disputes
Clause 292	Valuation of property salvaged
Clause 293	Detention of property liable to salvage
Clause 294	Sale of detained property
Clause 295	Apportionment of salvage by Receiver
Clause 296	Apportionment of salvage by Court
Clause 297	Salvor's right to interest
Clause 298	Application to the Government
Clause 299	Salvage regulations
Clause 300	Time limit for salvage proceedings
Clause 301	The common understanding regarding the reward and special compensation
Clause 302	Recourse for life salvage payment

The Speaker: Are there any questions on clauses 247 to 302? *[Pause]* If not, I will put the question. The question is that clauses 247 to 302 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Clauses 247 to 302 passed.

The Clerk:

Clause 303	Offences in connection with passenger ships
Clause 304	Power to exclude drunken passengers from certain passenger ships
Clause 305	Stowaways
Clause 306	Unauthorised presence on board
Clause 307	Master's power of arrest

Clause 390	Issue of certificate by Chief Executive Officer
Clause 391	Rights of third parties against insurers
Clause 392	Jurisdiction of Cayman Islands Court and registration of foreign judgments
Clause 393	Government ships
Clause 394	References to territories of a country
Clause 395	Definitions in this Chapter
Clause 396	Contributions by importers of oil and others
Clause 397	Power to obtain information
Clause 398	Liability of the Fund
Clause 399	Limitation of Fund's liability under section 398
Clause 400	Jurisdiction and effect of judgments
Clause 401	Extinguishment of claims
Clause 402	Subrogation
Clause 403	Supplementary provisions as to proceedings involving the Fund
Clause 404	Fund Protocol regulations
Clause 405	HNS Protocol regulations

The Chairman: Are there any questions on clauses 357 to 405? *[Pause]* If not, I will put the question. The question is that clauses 357 to 405 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 357 through 405 passed.

The Clerk:

Clause 406	Definitions in this Part relating to piracy and armed robbery
Clause 407	Hijacking of ships
Clause 408	Seizing or exercising control of fixed platforms
Clause 409	Destroying ships or fixed platforms or endangering their safety
Clause 410	Other acts endangering or likely to endanger safe navigation
Clause 411	Offences involving threats
Clause 412	Ancillary offences
Clause 413	Interpretation
Clause 414	Appointment of Officers
Clause 415	Powers of Surveyors
Clause 416	Powers of Inspectors
Clause 417	Inspection of marine casualties
Clause 418	Offences, etc.
Clause 419	Improvement Notices
Clause 420	Prohibition Notices
Clause 421	Provisions supplementary to sections 419 and 420
Clause 422	Detention orders
Clause 423	References to arbitration

Clause 424	Compensation in connection with invalid prohibition notices and detention orders
Clause 425	Offences
Clause 426	Investigations of shipping casualties
Clause 427	Formal inquiry
Clause 428	Rehearings and appeals
Clause 429	Rules relating to inquiries and investigations
Clause 430	Inquiries into and reports on deaths and injuries

The Chairman: Are there any questions on clauses 406 to 430? *[Pause]* If not, I will put the question. The question is that clauses 406 to 430 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 406 through 430 passed.

The Clerk:

Clause 431	Time limit for summary offences
Clause 432	Time limit for summary orders
Clause 433	Offences by officers of bodies corporate
Clause 434	Jurisdiction in relation to offences
Clause 435	Jurisdiction over ships lying off coasts
Clause 436	Jurisdiction in case of offences on board ship
Clause 437	Offences committed by Cayman Island seafarers and other persons on board a Cayman Islands ship
Clause 438	Innocent passage
Clause 439	Enforcing detention of ship
Clause 440	Payment of fines
Clause 441	Depositions of persons abroad admissible
Clause 442	Admissibility in evidence and inspection of certain documents
Clause 443	Admissibility of documents in evidence
Clause 444	Inspection and admissibility in evidence of copies of certain documents
Clause 445	Service of documents
Clause 446	General functions of Minister and Chief Executive Officer
Clause 447	General power to dispense
Clause 448	Nautical assessors
Clause 449	Transmission of documents to Chief Executive Officer
Clause 450	Returns, etc., to Chief Executive Officer
Clause 451	Forms
Clause 452	Advisory committees
Clause 453	Fees, regulations and fines

Clause 454	Expenses of the Customs and Control Office
Clause 455	Expenses charged on money provided out of the revenue of the Islands
Clause 456	Payments to be made into the revenue of the Islands
Clause 457	Regulations
Clause 458	Chief Executive Officer's discretion
Clause 459	Shipping notices and amendments to international agreements
Clause 460	Application of Act to non-Cayman Islands ships
Clause 461	Applications of Act to Government ships
Clause 462	Applications of Act to ships chartered by demise to the Government
Clause 463	Application of Act to certain structures, etc.
Clauses 464	Application of United Kingdom legislation
Clause 465	Consultation with Secretary of State
Clause 466	Repeals and savings

The Chairman: Are there any questions on clauses 431 to 466? If not, I will put the question. The question is that clauses 431 to 466 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 431 through 466 passed.

The Clerk: Schedule.

The Chairman: Are there any questions with respect to the Schedule? *[Pause]* If not, I will put the question. The question is that the Schedule 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 Schedule passed.

The Clerk: A Bill for an Act to repeal and replace the Merchant Shipping Act (2021 Revision); 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 Chairman: The question is now that the Bill be reported to the House. All those in favour, please say, Aye. Those against, No.

AYES

The Chairman: The Ayes have it.

Agreed: Merchant Shipping Bill, 2023 to be reported to the House.

The Chairman: The Committee will now suspend for the luncheon break. We will return at 2 p.m.

Committee suspended at 1.11 p.m.

Committee resumed at 2.20 p.m.

The Chairman: Good afternoon. Committee is resumed, please take your seats.

LOCAL COMPANIES (CONTROL) (AMENDMENT) BILL, 2023

The Clerk:

Clause 1	Short title
Clause 2	Amendment to section 10 of the Local Companies (Control) Act (2019 Revision) – application for licence
Clause 3	Amendment of section 13 – annual licence fee
Clause 4	Amendment of section 22 – regulations

The Chairman: Are there any questions on clauses 1 through 4? If not, I will put the question. The question is that clauses 1 to 4 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 4 passed.

The Clerk: A Bill for an Act to amend the Local Companies (Control) Act (2019 Revision) to empower the Cabinet to make regulations as may be necessary to prescribe all matters that are required or permitted by the Act to be prescribed, including fees; 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 Chairman: The question now is that the Bill be reported to the House. All those in favour, please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The Local Companies (Control) (Amendment) Bill, 2023 to be reported to the House.

COMPANIES (AMENDMENT) BILL, 2024

The Clerk:

Clause 1	Short title and commencement
Clause 2	General amendments to the Companies Act (2023 Revision) – references to Parts
Clause 3	Amendment of section 2 – definitions and interpretation
Clause 4	Amendment of section 14 – special resolution for reduction of share capital

The Chairman: Are there any questions on clauses 1 to 4 of the Bill? If not, I will put the question. The question is that clauses 1 to 4 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 4 passed.

The Clerk:

Clause 5	Insertion of Sections 14A and 14B — reduction supported by solvency statement; registration of solvency statement and minute of reduction
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The Chairman: Honourable Deputy Premier, I have waived the requirement of two days' notice for an Amendment to be moved by your good self. You may do so now.

AMENDMENT TO CLAUSE 5

Hon. André M. Ebanks, Deputy Premier, Minister of Financial Services & Commerce and Investment, and Innovation & Social Development, Elected Member for West Bay South: Thank you Mr. Chair.

In accordance with the provisions of Standing Order 52, I, the Honourable André Ebanks, Minister for Financial Services and Commerce, give notice to move the following amendment to the Companies (Amendment) Bill, 2024: That the Bill be amended in clause 5 in the proposed section 14A by deleting subsection (2).

The Chairman: The amendment has been duly moved. Does any Member wish to speak thereto? If

not, the question is that the amendment stand part of the clause. All those in favour, please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question now is that the clause, as amended, do stand part of the Bill. All those in favour, please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 5, as amended, passed.

The Clerk:

Clause 6	Amendment of section 15 – application to court for confirming order, objections by creditors
Clause 7	Amendment of section 17 – registration of order and minute of reduction
Clause 8	Amendment of section 37 – redemption and purchase of shares

The Chairman: Are there any questions on clauses 6, 7 and 8? If not, I will put the question. The question is that clauses 6, 7 and 8 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 6, 7 and 8 passed.

The Clerk:

Clause 9	Amendment of section 60 – definition of special resolution
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The Chairman: I have received notice of an amendment to clause 9 of the Bill, and I've given the Minister leave to bring the amendment. Minister, I now invite you to move the amendment.

AMENDMENT TO CLAUSE 9

Hon. André M. Ebanks, Deputy Premier: Thank you Mr. Chair.

In accordance with the provisions of Standing Order 52, I, the Honourable André Ebanks, Minister for Financial Services and Commerce, give notice to move the following amendment to the Companies (Amendment) Bill, 2024: That the Bill be amended by deleting clause 9.

The Chairman: The amendment has been duly moved. Does the Minister wish to speak thereto?

Hon. André M. Ebanks, Deputy Premier: Very briefly, Mr. Chair.

As a matter of historical record, this was the clause I referred to in my presentation of the Bill about which the industry was not quite prepared just yet. They wanted to reflect and debate further on amending the definition of a special resolution and this allows them to do so. It has a consequential amendment, (which is why we had to amend clause 5), as well as consequential amendments to clauses 16, 18, and 19 which will come up shortly.

The Chairman: Thank you, Honourable Minister.

Does any other Member wish to speak? If no Member wishes to speak, the question is that clause 9 be deleted. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 9 deleted.

The Clerk:

Clause 10	Amendment of section 88 – power to acquire shares of dissentient shareholders
Clause 11	Amendment of section 201 – application for continuation
Clause 12	Amendment of Part XIII – re-registration as a means of an ordinary non-resident company becoming exempted
Clause 13	Insertion of sections 211A and 211B – exempted company may be re-registered as an ordinary resident company; effect of re-registration of an exempted company as an ordinary resident company
Clause 14	Amendment of Part XVI – merger and consolidation
Clause 15	Amendment of section 232 – definitions in this Part

The Chairman: The question is that clauses 10 to 15 stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 10 to 15 passed.

AMENDMENT TO CLAUSE 16

The Clerk:

Clause 16 Amendment of section 233 - merger and consolidation

The Chairman: I have received notice of an Amendment to the Bill with respect to Clause 16, and I have given the Minister leave to bring the Amendment.

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Chair.

In accordance with the provisions of Standing Order 52, I, the Hon. André Ebanks, Minister of Financial Services and Commerce give notice to move the following Amendment to the Companies (Amendment) Bill, 2024: That the Bill be amended by deleting Clause 16.

The Chairman: The Amendment has been duly moved. Does any Member wish to speak thereto? *[Pause]* If no Member wishes to speak, the question is that clause 16 be deleted. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 16 deleted.

The Clerk:

Clause 17	Insertion of sections 233A and 233B – conversion of a limited liability company to an exempted company; conversion of a foundation company to an exempted company
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The Chairman: Are there any questions on clause 17? *[Pause]* If not, I will put the question. The question is that clause 17 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 17 passed.

AMENDMENT TO CLAUSE 18

Clause 18	Amendment of section 238 – rights of dissenters
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The Chairman: I have received notice of an Amendment to clause 18 of the Bill, and I've given the Minister leave to bring the Amendment.

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Chair.

In accordance with the provisions of Standing Order 52, I, the Hon. André Ebanks, Minister of Financial Services and Commerce give notice to move the following Amendment to the Companies (Amendment)

Bill, 2024: That the Bill be amended by deleting clause 18.

The Chairman: The Amendment has been duly moved. Does any Member wish to speak thereto? *[Pause]* If no Member wishes to speak, the question is that clause 18 be deleted. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: Clause 18 deleted.

AMENDMENT TO CLAUSE 19

Clause 19 Amendment of section 239 –
 limitation on rights of dissenters

The Chairman: I have received notice of an Amendment to clause 19 of the Bill, and have given the Minister leave to bring the Amendment.

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Chair.

In accordance with the provisions of Standing Order 52, I, the Hon. André Ebanks, Minister of Financial Services and Commerce give notice to move the following Amendment to the Companies (Amendment) Bill, 2024: That the Bill be amended by deleting clause 19.

The Chairman: Does any Member wish to speak? *[Pause]* If no Member wishes to speak, the question is that clause 19 be deleted. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: Clause 19 deleted.

Clause 20 Amendment of section 252 – duty to
 establish and maintain beneficial ownership register

The Chairman: Are there any questions on the clause? *[Pause]* If not, I will put the question. The question is that clause 20 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: Clause 20 passed.

The Attorney General, Hon. Samuel W. Bulgin: Mr. Chair, for the record: Given the deletion of the clauses,

may I ask that the Committee confirms that the remaining clauses are to be renumbered accordingly?

The Chairman: Hon. Attorney General, would it be appropriate that a motion to that effect be moved by a Member of the Committee?

Hon. Minister, I invite you to move the appropriate motion.

[Pause]

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Chair.

I, André Ebanks, Minister of Financial Services and Commerce move that the Bill be renumbered in clause 5 by the removal of subsection (2) under 14A; and to reflect accordingly the deletion of clauses 9, 16, 18 and 19.

The Chairman: The Motion has been duly moved.

The question is that the Bill be renumbered in clause 5 by deleting subsection (2), and that the Bill be further amended and renumbered following the deletion of clauses 9, 16, 18 and 19. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The Bill to be renumbered accordingly.

The Clerk: A Bill for an Act to amend the Companies Act (2023 Revision) to vary the procedure for the reduction of share capital; to provide for the repurchase or redemption of fractional shares; to vary the procedure for passing a special resolution; to provide for the conversion of a limited liability company or a foundation company to an exempted company; 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 Chairman: The question now is that the Bill be reported to the House. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: The Companies (Amendment) Bill, 2024 to be reported to the House.

CIVIL PROCEEDINGS (CLOSED MATERIAL PROCEDURES) BILL, 2023

The Clerk:

Clause 1	Short title
Clause 2	Interpretation
Clause 3	Declaration permitting closed material applications in civil proceedings
Clause 4	Review and revocation of declaration under section 3
Clause 5	Determination by court of applications in section 3 proceedings
Clause 6	Special advocate
Clause 7	Saving for disclosure rules
Clause 8	General provision about section 3 proceedings
Clause 9	Disclosure proceedings: "Norwich Pharmacal" and similar jurisdictions
Clause 10	Review of certification
Clause 11	Persons who may act as special advocates
Clause 12	Regulations
Clause 13	Rules Committee
Clause 14	Immunity
Clause 15	Reports on the use of closed material procedure
Clause 16	Review of sections 3 to 8
Clause 17	Transitional

The Chairman: Are there any questions on clauses 1 to 17? *[Pause]* If not, I will put the question. The question is that clauses 1 to 17 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 17 passed.

The Clerk: A Bill for an Act to provide for the use of closed material procedures in civil proceedings; to provide for the appointment of special advocates; 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 Chairman: The question now is that the Bill be reported to the House. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Civil Proceedings (Closed Material Procedures) Bill, 2023 to be reported to the House.

[Pause]

House resumed at 2.46 p.m.

The Speaker: The House will now resume. Please be seated.

REPORT ON BILLS

MERCHANT SHIPPING BILL, 2023

The Speaker: I recognise the Honourable Deputy Premier.

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

I'm pleased to report that a Bill shortly entitled the Merchant Shipping Bill, 2023 was considered by a committee of the whole House and passed without amendments.

The Speaker: The Bill has been duly reported to the House and is set down for its Third Reading.

[Inaudible interjection]

The Speaker: Just so I can explain: because the First and Second Reading took place yesterday, we don't need to suspend the Standing Orders. The Standing Orders say that no more than two Readings can be conducted in a day; that if we want to do three, we have to suspend the Standing Orders— but we're into the second day now.

LOCAL COMPANIES (CONTROL) (AMENDMENT) BILL, 2023

The Speaker: I recognise the Honourable Deputy Premier.

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Chair.

I'm pleased to report that a Bill shortly entitled the Local Companies (Control) (Amendment) Bill, 2023 was considered by a committee of the whole House and passed without amendments.

The Speaker: The Bill has been duly reported and is set down for its Third Reading.

COMPANIES (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

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

I'm pleased to report that a Bill shortly entitled the Companies (Amendment) Bill, 2024 was considered by a committee of the whole House and passed with amendments and renumbering.

The Speaker: The Bill has been duly reported and is set down for its Third Reading.

CIVIL PROCEEDINGS (CLOSED MATERIAL PROCEDURES) BILL, 2023

The Speaker: I recognise the Honourable Attorney General.

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

Mr. Speaker, I beg to report that a Bill entitled the Civil Proceedings (Closed Material Procedures) Bill, 2023 has been considered by a committee of the whole House and passed without amendments.

The Speaker: The Bill has been duly reported and is set down for its Third Reading.

THIRD READINGS

MERCHANT SHIPPING BILL, 2023

The Speaker: The Honourable Deputy Premier.

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

I beg to move that a Bill shortly entitled the Merchant Shipping Bill, 2023 be given a third reading and passed.

The Speaker: The Motion is that a Bill shortly entitled the Merchant Shipping Bill, 2023 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 Merchant Shipping Bill, 2023 was given a third reading and passed.

LOCAL COMPANIES (CONTROL) (AMENDMENT) BILL, 2023

The Speaker: I recognise the Honourable Deputy Premier.

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

I beg to move that a Bill shortly entitled the Local Companies (Control) (Amendment) Bill, 2023 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Local Companies (Control) (Amendment) Bill, 2023 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 Local Companies (Control) (Amendment) Bill, 2023 was given a third reading and passed.

COMPANIES (AMENDMENT) BILL, 2024

The Speaker: I recognise the Honourable Deputy Premier.

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

I beg to move that a Bill shortly entitled the Companies (Amendment) Bill, 2024 be given a third reading and passed.

The Speaker: The question is that a Bill entitled the Companies (Amendment) Bill, 2024 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 Companies (Amendment) Bill, 2024 was given a third reading and passed.

CIVIL PROCEEDINGS (CLOSED MATERIAL PROCEDURES) BILL, 2023

The Speaker: I recognise the Honourable Attorney General.

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

Mr. Speaker, I beg to move that the Civil Proceedings (Closed Material Procedures) Bill, 2023 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Civil Proceedings (Closed Material Procedures) Bill, 2023 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 Civil Proceedings (Closed Material Procedures) Bill, 2023 was given a third reading and passed.

The Speaker: Mr. Deputy Premier, may I ask if you are ready at this stage to proceed with the Government Motions, or you wish to await the arrival of the Honourable Premier.

Hon. André M. Ebanks, Deputy Premier: Thank you, Mr. Speaker. My preference would be to give the Premier fifteen minutes.

The Speaker: Okay, I will suspend until 3 o'clock. That clock is slow.

Proceedings suspended at 2.54 p.m.

Proceedings resumed at 3.11 p.m.

The Speaker: Good afternoon. Parliament is resumed.

MOTIONS

GOVERNMENT MOTIONS

**Government Motion No. 2 of 2023-2024
The Public Management and Finance Act
(2020 Revision) – Issuance of a Deed of Indemnity
to the Board of Directors for Cayman Airways
Limited**

The Speaker: I recognise the Honourable Minister of Tourism and Ports.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move Government Motion No. 2 of 2023-2024 on the Order Paper which is captioned Issuance of a Deed of Indemnity to the Board of Directors of Cayman Airways Limited and reads as follows:

WHEREAS in 2010 the Cabinet [and further on, the Parliament] and Finance Committee approved the issuance, to the Board of Directors of Cayman Airways Limited, of a Deed of Indemnity guarding against the potential liability of members of the Board and allowing the Company to continue to trade despite the Company's financial position;

AND WHEREAS the same factors and concerns apply to the existing Board of Directors of Cayman Airways Limited, the Government of the Cayman Islands ("the Government") is therefore desirous of issuing a similar Deed of Indemnity to members of the existing Board (as per the attached Deed of Indemnity);

AND WHEREAS Section 8 of the Public Management and Finance Act (2020 Revision) provided 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 Board of Directors of Cayman Airways Limited, of a Deed of Indemnity guarding against the potential liability of members of the Board of Directors of Cayman Airways Limited.

Thank you, Mr. Speaker.

The Speaker: The Motion has been duly moved.

The question is BE IT NOW THEREFORE RESOLVED THAT the Parliament hereby authorises the issuance to members of the Board of Directors of Cayman Airways Limited, of a Deed of Indemnity guarding against the potential liability of members of the Board of Directors of Cayman Airways Limited.

Does the Minister wish to speak thereto?

Hon. Kenneth V. Bryan: Yes, Mr. Speaker.

Mr. Speaker, Cayman Airways Limited has operated with a shareholders' deficiency for quite some time. As the Cayman Islands Government has indemnified successive Cayman Airways Boards of Directors from any liability that may arise from those circumstances, the Ministry has received representation from the current Board of Directors in relation to the issuance of a similar Deed of Indemnity.

Mr. Speaker, the Deed of Indemnity is between Cayman Airways Limited, the Government of the Cayman Islands, and the Cayman Airways Board of Directors. Specific clauses included in the Deed of Indemnity state that Cayman Airways Limited and the Cayman Islands Government shall fully indemnify and protect indemnified persons, to the extent allowed by law, from all claims and losses related to their actions or omissions as Directors of Cayman Airways Limited, provided that they acted in good faith and in the company's best interest.

Mr. Speaker, the Deed of Indemnity also states that Cayman Airways Limited shall use its reasonable endeavours to ensure—and maintain— at its own expense, on behalf of the indemnified persons, the appropriate Directors' Liability insurance. This obligation includes ensuring that the associated premiums are consistently paid for the benefit of the indemnified persons, and should remain in effect as long as any claims may lawfully be brought against the indemnified persons in respect of any liability occurring, or alleged to have occurred while an indemnified person is or was a Director of the Company.

Mr. Speaker, the Deed of Indemnity is governed by, and is to be interpreted, in accordance with the laws of the Cayman Islands. It also states that all parties agree that the Courts of the Cayman Islands are to have exclusive jurisdiction to settle any disputes which may arise in connection with the creation, validity, effect, interpretation, performance of, or the legal

relationship established by this deed or otherwise arising in connection with this deed.

Mr. Speaker, I recognise that there is much legal terminology in what I just outlined, but in essence, the Deed of Indemnity is in keeping with what previous Cayman Airways Boards have existed with and have benefited from; accordingly, with little contribution to this specific Motion, I commend it to this honourable House, to all Members of Parliament, and ask that they give it their full support.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Minister.

Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] If no other Member wishes to speak, I will put the question: BE IT NOW THEREFORE RESOLVED that the Parliament hereby authorises—

[Inaudible interjection]

The Speaker: I'm not sure it's a right of reply... It is a right of reply but there's nothing to reply to; however, if the Minister wishes to make concluding remarks, please proceed.

Hon. Kenneth V. Bryan: Thank you, Mr. Speaker.

I just want to thank all Members for their tacit support. I'm happy and excited to report back to the Board of Directors that it will be passed shortly.

Thank you, Mr. Speaker.

The Speaker: The question is: **BE IT NOW THEREFORE RESOLVED THAT the Parliament hereby authorises the issuance, to members of the Board of Directors of Cayman Airways Limited, of a Deed of Indemnity guarding against the potential liability of members of the Board of Directors of Cayman Airways Limited.**

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

AYES.

The Speaker: The Ayes have it.

Agreed: Government Motion No. 2 of 2023-2024 passed.

**Government Motion No. 5 of 2023-2024
 Motion to Establish a
 Fuel Review Select Committee**

Hon. Johany S. Ebanks: Mr. Speaker, Government Motion No. 5 of 2023-2024 – Motion to Establish a Fuel Review Select Committee:

WHEREAS Section 70 of the Parliament Standing Orders allows for the establishment of a Select Committee to assist Members in exercising its functions under Part IV of the Constitution;

AND WHEREAS on the 21st September, 2023 a Motion was passed in the House of Parliament to form a Select Committee consisting of no less than six (6) Members and Chaired by the Minister of Planning, with the responsibility to provide recommendations by the 29th February, 2024, on how to reduce the cost of fuel in the Cayman Islands;

BE IT THEREFORE RESOLVED THAT the Parliament establishes a Fuel Review Select Committee;

AND BE IT THEREFORE RESOLVED THAT the Membership of the Fuel Review Select Committee shall comprise the following:

- Hon. Johany Ebanks, MP, Minister of Planning - Chairman
- Mr. Christopher Saunders, MP - Member
- Hon. Dwayne Seymour, JP, MP - Member
- Hon. Kenneth Bryan, MP - Member
- Hon. Katherine Ebanks-Wilks, MP - Member
- Hon. W. McKeeva Bush, JP, MP - Member
- Hon. Isaac Rankine, JP, MP – Member

AND BE IT FURTHER RESOLVED THAT in the public's interest, some meetings of this Select Committee shall be held in public.

The Speaker: The Motion has been duly moved. The questions are:

BE IT THEREFORE RESOLVED THAT the Parliament establishes a Fuel Review Select Committee;

AND BE IT THEREFORE RESOLVED THAT the Membership of the Fuel Review Select Committee shall comprise of the following:

- Hon. Johany Ebanks, MP, Minister of Planning - Chairman
- Mr. Christopher Saunders, MP - Member
- Hon. Dwayne Seymour, JP, MP - Member
- Hon. Kenneth Bryan, MP - Member
- Hon. Katherine Ebanks-Wilks, MP - Member
- Hon. W. McKeeva Bush, JP, MP - Member
- Hon. Isaac Rankine, JP, MP – Member

AND BE IT FURTHER RESOLVED THAT in the public's interest, some of the meetings of the Select Committee shall be held in public.

Does the Minister wish to speak thereto?

[Pause]

The Speaker: Minister, if you wish to amend the Motion, you may do so on the Floor. I will only make one observation, and it's *just* an observation. It is section 71 of the Constitution— I considered it when the Motion was presented.

With respect to Standing Committees of the House, section 71 says that the makeup of committees should, as far as possible, reflect the numerical

strength of the various groupings in the House. I let this one go, because strictly speaking it is not a Standing Committee but a Select Committee; however, Minister, you may wish to consider a rebalancing of the proposed Membership because currently, there is only one Opposition Member on the Committee.

I cannot force you down that road because strictly speaking it is not a Standing Committee, but it's an observation which I make.

[Pause]

Hon. Johany S. Ebanks: Mr. Speaker, I thank you for your knowledge, but when we contacted the Members, some of them actually had conflicts being on this Select Committee. If Members who do not have a conflict with it, and would love to put their name forward, can identify themselves— except for Ms. Barbara who doesn't have a conflict with it— I would love to put their name forward. I would be happy to have them on this Committee.

The Speaker: You have to play the hand you're dealt, Minister. If that's the case, that's the case; please proceed.

Amendment to Government Motion No. 5 of 2023-2024

Hon. Johany S. Ebanks: Mr. Speaker, we would like to make an amendment to the Motion.

In accordance with the provision of Standing Orders 25(1) and (2), I, the Honourable Minister of Planning, Agriculture, Housing, Infrastructure, Transport and Development seek to move the following amendment to Government Motion No. 5 of 2023-2024: That in the RESOLVE section, the name of the Hon. Isaac Rankine be deleted, and the names of Mr. Bernie Bush and Ms. Barbara Conolly be inserted into this Select Committee.

The Speaker: The Amendment has been duly moved. Does any Member wish to speak to the Amendment?
[Pause]

If not, the question is that Government Motion No. 5 of 2023-2024 be amended in the second Resolve provision by deleting the name, Hon. Isaac Rankine, MP - Member, and replacing it with the names, Mr. Bernie Bush, MP - Member; and Ms. Barbara Conolly, MP - Member.

Does any Member wish to speak to the Amendment? If not, the question is that the proposed Amendment form part of the Motion.

Hon. Kenneth V. Bryan: Mr. Chair.

[Inaudible interjection]

The Speaker: I put the question.

Hon. Kenneth V. Bryan: Okay.

The Speaker: Those in favour, those against?

AYES.

Agreed: The amendment passed.

The Speaker: The Motion, as amended, will now be debated. Sorry, Minister?

[Inaudible interjection]

The Speaker: Please use the mic, I can't hear. We want to get this right; I'm not too worried about the optics.

Hon. Johany S. Ebanks: Mr. Speaker, what I am trying to ask you is whether now that we are adding members and removing a member, we could make an amendment to the date also, because the recommendation is for it to be back to the House on 29th February.

The Speaker: Minister, the cleanest way of doing this is for us to vote on the question that I just put, and then amend it again.

Hon. Johany S. Ebanks: Okay.

The Speaker: Otherwise, it will get hopelessly confusing.

Hon. Johany S. Ebanks: Alright; no problem.

The Speaker: Those in favour of Government Motion No. 5 of 2023-2024 being amended as follows:

AND BE IT THEREFORE RESOLVED that the membership of the Fuel Review Select Committee shall comprise the following:

- Hon. Johany Ebanks, MP, Minister of Planning - Chairman;
- Mr. Christopher Saunders, MP - Member;
- Hon. Dwayne Seymour, JP, MP - Member;
- Hon. Kenneth Bryan, MP - Member;
- Hon. Katherine Ebanks-Wilks, MP - Member;
- Hon. W. McKeeva Bush, JP, MP - Member;
- Mr. Bernie Bush, MP - Member; and
- Ms. Barbara Conolly, MP - Member.

Those in favour, please say Aye. Those against, no.

AYES.

The Speaker: The Ayes have it.

Agreed: The Motion, as amended, passed.

The Speaker: Minister, you may now move the second Amendment— the date.

[Inaudible interjection]

[Pause]

The Speaker: Honourable Minister, the Clerk has clarified a point.

We cannot amend that provision because it is quoting from a previous decision; but in your debate, you can propose what you think is reasonable so, can we proceed for you to speak to the Motion, as amended?

We will get there eventually, you know.

Hon. Johany S. Ebanks: Thank you, Mr. Speaker. I think we are actually there now.

Mr. Speaker, Honourable Members of Parliament, I stand before you to revisit a matter of critical importance that has been previously highlighted: the relentless surge in fuel prices that impacts every corner of the Cayman Islands.

This issue, Mr. Speaker, which touches the lives of all of our constituents and places a significant burden on businesses, demands our immediate and collective attention. Our citizens' struggle to manage their electrical bills due to the drastic increase in costs, Mr. Speaker, is a clear signal that we must act swiftly.

In response to this escalating challenge, I am once more proposing the establishment of a Fuel Review Select Committee. Mr. Speaker, this committee is to be tasked with a comprehensive examination of the factors driving the fuel prices upwards and developing actionable strategies to mitigate the strains on our economy and the well-being of our people.

This proposed bipartisan committee will include distinguished members from both the Government and the Opposition. As Chair of the Committee, myself— the Minister of PAHITD; MP Christopher Saunders, Minister Dwayne Seymour, Minister Kenneth Bryan, Minister Katherine Wilks, MP McKeeva Bush, and MPs Bernie Bush and Ms. Barbara Conolly, as amended just a while ago.

Mr. Speaker, the committee's mandate is to explore the underlying causes of fuel price increases, investigate alternative energy options, and propose measures to foster better regulations and competition within the fuel sector. Now, when I talk about fuel, we are not just talking about gasoline, but also about other sources of fuel such as propane, natural gas... anything directly within the fuel economy.

Mr. Speaker, [under] the committee's mandate, we will go out to see what we can do to come up with the best measures to lower the cost for the people of the Cayman Islands. The findings and recommendations from this committee will be instrumental in guiding our government towards implementing effective policies and strategies. These efforts aim to stabilise fuel prices and guarantee long-term energy affordability, contributing to the economic growth and prosperity of our beloved Cayman Islands.

Mr. Speaker, we all know the fuel that comes here is a pass-through when it comes to our bills; but for too long, no one has looked into what we can do when it comes to lowering the fuel cost in this country. This is why I am passionate about setting up this fuel committee— to look at the alternatives for what we can do. Call the people here, question them, figure out what it is going to take to lower the cost of fuel, not just for Caribbean Utilities Company (CUC) and the pumps, but also cooking fuel. The whole works.

Mr. Speaker, fuel touches every single person here whether you drive a car or don't own a home; if you have to pay for taxi service or bus service to get from A to B, the cost is in there too. We want to ensure that we level the playing field for the people fairly, because people say they don't see a level playing field. As I said before, this committee's findings will help us guide policy, and allow us to see what proposals we need to make, so that OfReg is better able to hold some people accountable and get things done in this country.

Mr. Speaker, I believe that every single person in this country wants us to fix this fuel problem; every single person. I believe even those who can afford it want us to fix it, because they say they pay too much. Some of them may have the opportunity to put solar [panels] on their rooftop, which the average man still has to pay for it on his fuel charge same way when we see it on our bill.

Mr. Speaker, we need to figure it out. The people elected the 19 of us in this Chamber to help make their lives much better. When I came here, I said the one thing I would always make sure to do, was what[ever] I can do to help make Caymanians' lives better; and I think figuring out this problem is a really good way, a good starting point.

Why is it that we can't figure out how to lower the cost that goes into CUC? Why is it that we are not looking for alternatives? Why are we not looking for a cheaper source of fuel? I hear many of the critics. Sometimes you ask a simple question, and you can sit while the experts give you one hour of complaints, or one hour of reasons why we should not do it, but nothing to say why we should.

Mr. Speaker, we are not in the business of protecting any of them. I'm in the business of making sure that Caymanians can live comfortably, and afford to be able to keep their lights on and keep money in their pocket. Every Caymanian loved the past winter season. The *nor'westers* might have done us bad; but it also brought cool breezes so we were able to keep our electricity costs down. Every Caymanian loved it because the electricity bill went down.

Why can't we continue to force these electricity costs down? Why are we sitting here, fiddling our thumbs and talking to each other, but not doing anything about it? For years and years and years it has been a problem, and no one has tried to come up with a solution. No one has said to these guys, *Listen,*

enough is enough; this is what you're going to have to do. No one!

How many of these people took a break during COVID-19 and said, *Boy, we're going to bring the prices down.* How many of them have opened up their books to you all and showed them and said, *Listen, this is exactly how much we are making.* Mr. Speaker, they may have done so to some people, but have they shown it to the public? Some may say yeah; well, lucky for you that you got to see it.

All of a sudden, because people hear the Select Committee is coming, you get invites; they want to come and explain to you this is going on, and this is what is happening, and this is what we have to do and, *oh, you need to come and tour the facility so you can see it.* I don't need to tour the facility. I tour the facility when I leave here and drive in the direction of North Side every single day, and burn gas while I cross every gas station with high prices.

[Inaudible interjection]

Hon. Johany S. Ebanks: Those are the facilities I've been touring. Those are the facilities I tour. I don't need to go there for you to explain to me the reasons why your gas prices are high.

Mr. Speaker, it is high time. I said I wasn't going to speak too long on this today because I think it is something that every single person in this House wants to get on to— those who can and those who are not... Mr. Speaker, I would love to find the right word, but sometimes I get a bit passionate about it and politics get inside me and I need to just leave it alone.

Mr. Speaker, sometimes it reminds you of why we can't fix the problem, because sometimes it is the people who have invested in these same places. I am not calling anyone's name, but there are people who invested in these places, who don't like to see the monopoly change. I am not going to use the words "dolly house" because I know another Member will likely use them when he gets to speak; but Mr. Speaker, we have too many people who benefit from this fuel sector, who sit there and count and count and live happily, while our people perish with it and have to wonder *Boy, let me see if I got \$5 I can put in today, because I can't fill it.* Many of them don't know what it feels like. Some of them don't even know the price of gas because they don't look at it— or maybe they don't care.

Mr. Speaker, I hope that when this committee is finished, we can bring a solution to the Government on how we are going to tackle the high cost of living when it comes to fuel in this country. I am glad that the Member for George Town South, Ms. Barbara Conolly, has put herself forward to join this committee, because we needed someone from the Official Opposition on it. I don't know how you all divide the Opposition, but we have three opposition members now— and Mr. Speaker, through you to the Member for George Town South: Thank you for putting yourself forward to be a

part of a movement to help lower the cost of living for the people of the Cayman Islands.

Mr. Speaker, I don't know what is driving every single fuel factor, but I am telling you that we are going to make a deep dive into it, because it seems that it's not just at the pumps; it seems we also need to look at cooking fuel, to see what is there, and at natural gas, which is popping up, saying it wants to come here. We need to ensure that if something is going to be implemented here, it is for the right reasons.

We hear the companies saying they have to add it to their system. Mr. Speaker, I want to ensure that when they add it to their system it's not going to be another pass-through cost where they take whatever price they get it for, and add it in just because they want to show that they are doing a cleaner burn. I am not just into a cleaner burn. I want to see better prices. I want to see the CUC bill come down. I want to see the prices at the pumps come down. We hear the small man at the pump say, *Boy, they only make a certain amount at the [gas] station.* Well then, who is making all the money? Who is it? Why is it that fuel can go up before the next ship is in? It goes up quickly, but you never see the trickle-down effect happen for months, whereas months before, you could see it drop back.

As I said, some people heard that this Committee is coming up, so you see changes starting to happen; small tweaks here and there, but it is all to say, *well, we hear the Government is looking into this, so we are proactive. We are starting to do this.* Well, I'm glad that they started, but they should have done it a long time ago. It should not have taken for us to get here, to get it sorted out. We shouldn't have had to wait this long to get the matter sorted out.

Mr. Speaker, on that note I will sit down to hear what other Members of this honourable House have to say, and finish my comments in my closing. Thank you so much for giving me the opportunity to bring this Motion for a Fuel Review Select Committee to the House. Thank you.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?
[Pause] The Member for Bodden Town West.

[Pause]

Mr. Christopher S. Saunders, Elected Member for Bodden Town West: Thank you, Mr. Speaker.

Mr. Speaker, I want to start out by thanking the Honourable Member for North Side, for bringing this Motion to the House so soon after it was initially passed last year. I also want to go on record thanking the Honourable Member for West Bay West, for seconding the Motion when it was originally brought to the House; and the Honourable Premier, for creating an environment for us to take this bold step in setting up this Select Committee to look at fuel.

I also want to thank your good self, Mr. Speaker— and I include you in my thanks, because when I first arrived in this honourable House I did so as a Member of the Legislative Assembly, and during my first term, you saw fit to elevate this legislative body from a Legislative Assembly to a Parliament.

At the time it was done, Mr. Speaker, I remember you asking us, as Members, to elevate the way in which we represent; to elevate the way in which we conduct the business of this House. Just earlier today, you alluded to the lack of meetings of the Parliament Management Council and, once again, you challenged Members of this House to rise to the occasion of what a Parliament should be.

For the class of 2021, who all came in as Members of Parliament, it is a different mind-set versus those who started as Members of the Legislative Assembly and *then* moved to a Member of Parliament, and it is the elevation of our thought process that led to the creation of this Motion.

Mr. Speaker, many of our people tune in to the congressional proceedings in the United States, and the parliamentary proceedings in the UK. They see the level of oversight and involvement in many of the day to day activities of the citizens, and pretty much ask the same of us— and I believe this Parliament is on its way to start looking more into those activities that affect our people on a daily basis.

I am equally pleased with the addition to this Committee of the Members for West Bay North and George Town South, because during the 2017 - 2021 term they, along with myself, were members of the Public Accounts Committee that looked into the Utility Regulation and Competition Office's (OfReg) operations at the time. It was during that time that we called the fuel and other companies that were regulated by OfReg to get a better understanding of how these industries were serving our people and, to some extent, how their activities were affecting our people on a day to day basis; and it is rather ironic, Mr. Speaker, that I remember a particular witness from one of the fuel companies.

We went through their pricing, since the fuel left the Gulf Coast to when it arrived in Cayman, and for whatever reason, as we looked at each cost along the way, the General Manager could not explain \$2.50 worth per gallon of fuel, except to say at the end of it, when he couldn't explain the difference, that Cayman is a high-cost jurisdiction. That stood out to me.

Mr. Speaker, as I've said in many debates before, not every single time we go on the field, we are going to score a goal; but the job of this and successive Parliaments, is to keep moving the ball closer and closer to the goal for the ultimate benefit of our people. The Caymanian people, Mr. Speaker, and those that call the Cayman Islands home, are smart enough to recognise that there are no magic bullets for the challenges that are facing this country, but what they expect, at a minimum, is that their political leaders:

1. Be aware of the problem; and

2. At least try to develop a plan to fix the problem— and I think to some extent, they are willing to be patient enough to give us the time to do so.

Mr. Speaker, I originally brought this Motion because of something that happened in 2015. For context, when a person is like me who likes to search for information, we can actually back into much of the information that we need.

For example, if you go to the Port Authority website, you see the volume of gasoline, diesel, propane, Avgas (aviation fuel) that is imported into the country, but not the value. If you then shift to the Economics and Statistics Office (ESO) website, Mr. Speaker, and look at the Balance of Payment and [Foreign] Trade, et cetera, because of their access to other information, the ESO gives you *the value* of the total imports that come into the country. Thus, Port Authority gives you volume, and the ESO gives you value— and while it's not on a per-line basis, you can track the relationship volume/value over a nine, ten-year period, by looking at the different volumes.

Equally, Mr. Speaker, CUC is a publicly traded company and their Annual Report, I might add, is quite detailed in that it provides the fuel factor, how much they charge for it, and even their fuel costs.

I recognise that you have to take in the value of inventory because it's not as if fuel isn't stored on the island from year to year, whereas there could be a cheaper fuel versus a more expensive one in the tanks or vice versa, so it is not science. What jumped at me, Mr. Speaker, was that the total value of all fuel brought into the country in 2015 totalled CI\$106,849,000, while CUC's fuel cost in US dollars, converted to CI dollars at 0.84 per their Annual Report, was CI\$92,456,000. In short, the total value of imported fuel was \$106,849,000, of which CUC's fuel cost was \$92,456,000 or 87 per cent. There is no way that the remaining 13 per cent represented gas stations, boat owners, et cetera.

Mr. Speaker, as I said, I recognise that you have to factor-in the inventory that may be on the island and so forth. As an accountant, I am aware of that, as I'm sure the Honourable Leader of the Opposition and other accountants in the House would. I have done this exercise from 2013 to 2022, and I'd be more than happy to make it available to all Members of the House, and any member of the public, who wants to go into those details.

The issue, Mr. Speaker, is that when you look at what CUC uses as part of their fuel factor, take out what is not CUC's portion and factor in the number of cars, boats and trucks in the Islands, you have to ask what kind of mark-up is applied at the pump, that these individuals can survive within the gas stations even when the gas stations' margins are very small. The real essence, the real issue, is not CUC or the gas stations per se, Mr. Speaker, but the fuel companies— that is what we need to get at.

We started this journey at the Public Accounts Committee several years ago, but due to COVID-19, et cetera, we didn't get a chance to deep dive further. I think now is the time for us to finish the conversation, thus the reason I'm happy that the Members for West Bay North and George Town South were added to this committee. It gives us a chance to finally find out where the unexplained \$2.50 per gallon went, other than to say Cayman is a high-cost jurisdiction. I need to find out and, more importantly, the public needs to find out. It has bothered me, so I am very happy that the Minister has seen it fit to create a Select Committee for us to finish that conversation for our people.

Mr. Speaker, two years; it wasn't long ago that the Government had to step in and create a Fuel Assistance Programme to help people with high fuel costs. I'm sure many Members of this House are mindful that this is a United States election year and there will be external forces trying to influence the elections one way or the other. Some have said that perhaps the Russians and the Middle East, or OPEC+ (Organisation of the Petroleum Exporting Countries plus) as they refer to themselves, intend to reduce the supply of fuel, which naturally drives up prices, just to influence the US elections.

Whether or not it happens, we cannot leave our people exposed to the headwinds, Mr. Speaker. They are looking for us, as their political leaders and their representatives, to do something about it, which at some point may require finding a balance between what is in the best interest of the public and what is in the best interest of the companies.

Mr. Speaker, it's important that people don't believe that Members of this Parliament are anti-business, because at the end of the day, we need a vibrant employment sector. What we are is anti [sic pro-] value for money for our people. We have entities that employ many Caymanians who rely on them to feed their families and pay their bills, so this isn't an anti-business Motion. We also recognise that businesses, too, have to pay high utility bills, keep their vehicles on the road, et cetera. In some instances, this may even help businesses that are also struggling to pay their energy costs in one way or the other, whether it be at the pump or at the plug.

Mr. Speaker, I want to thank the Government again, for bringing this Motion. I also really want to thank the Honourable Premier for creating the environment for this Motion— Members in the House will understand why I am thanking her. As I said, Mr. Speaker, I also want to thank you for encouraging us as newer Members, not veterans like yourself, to really elevate our level of representation for this Parliament to do more meaningful work for the Caymanian people and those who call the Cayman Islands home.

I look forward to working with the Minister and other Members of this committee to get to the bottom and find out what happened to that \$2.50.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] If not, I would invite the Minister moving the Motion to exercise is right of reply.

[Pause]

Hon. Johany S. Ebanks: Mr. Speaker, let me start by thanking my colleagues for their full support for us putting this Motion together and bringing it [to the House]. I thank the Member for Bodden Town West, for his full contribution and full support of this Motion, and all the other Members in the House whom I believe are on board with their full support, for their tacit approval.

Mr. Speaker, as the Member for Bodden Town West said, some of us have been aware of the problem. Yes, we are aware of what the problem is. Our constituents, our friends, our families— the whole island, are aware of the problem. Well, there's no need for us to be aware of the problem any longer. Instead, we need to come up with solutions, which is why we are putting this committee together. Over the next couple of weeks, I look forward to calling in the relevant people, and asking the tough questions to come up with a solution to tame the big dragon that we must go against out there.

Mr. Speaker, many of us didn't get here just by sitting and being easy. I know I had to fight every day of my life to get where I wanted to go— and I continue to fight; so, as long as I'm here, the people of this country will know that I'm fighting for them. Again, Mr. Speaker, I thank all the Members in this honourable House.

I look forward to chairing this committee, coming up with solutions, and bringing those solutions back to this honourable House; and not only bringing them back to this honourable House, but actually making them into policies, laws, regulations, whatever we come up with.

I thank you all. Have a good day everyone.

[Desk thumping]

The Speaker: Thank you, Minister.

The question is:

BE IT THEREFORE RESOLVED THAT the Parliament establishes a Fuel Review Select Committee;

AND BE IT THEREFORE RESOLVED THAT the Membership of the Fuel Review Select Committee shall comprise the following:

- Hon. Johany Ebanks, MP - Minister of Planning as Chairman
- Mr. Christopher Saunders, MP - Member
- Hon. Wayne Seymour, JP, MP - Member
- Hon. Kenneth Bryan, MP - Member
- Hon. Katherine Ebanks-Wilks, MP - Member
- Hon. W. McKeeva Bush, JP, MP - Member
- Mr. Bernie Bush, MP - Member

- Ms. Barbara E. Conolly, JP, MP - Member
AND BE IT FURTHER RESOLVED THAT in the public's interest, some meetings of this Select Committee shall be held in public.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Government Motion No. 5 of 2023-2024 passed.

The Speaker: Madam Clerk.

**Government Motion No. 6 of 2023-2024
Change in Membership of the
Public Accounts Committee**

The Speaker: I recognise the Honourable Premier.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Mr. Speaker, I rise to move [Government] Motion No. 6 of 2023-2024 to Change the Membership of the Public Accounts Committee.

WHEREAS paragraph (1) of Standing Order 77 provides "There shall be a standing committee, to be styled the Public Accounts Committee, to consider reports of the Auditor General—

- (a) on the accounts of the Government;**
- (b) on such other accounts required to be laid before the House as the committee may think fit; and**
- (c) on any matter incidental to the performance of the Auditor General's duties or the exercise of the Auditor General's powers as the Committee may think fit."**

AND WHEREAS following the resignation of the Elected Member for East End - Mr. Isaac D. Rankine from the Public Accounts Committee (in this Motion referred to as "the Committee") by letter dated 13th October 2023, the current membership of the Committee comprises:

- 1. Elected Member for George Town East - Leader of the Opposition, Hon. Roy M. McTaggart – Chairman**
- 2. Elected Member for George Town North - Mr. Joseph X. Hew**
- 3. Elected Member for George Town South - Ms. Barbara E. Conolly**
- 4. Elected Member for Savannah - Hon. Heather D. Bodden; and**
- 5. Elected Member for West Bay West - Hon. Dr. W. McKeeva Bush.**

AND WHEREAS paragraph (4) of Standing Order 80 provides "A Member of a standing committee may resign from that committee by tender-

ing that Member's resignation to the Presiding Officer whereupon the House may appoint another Member to fill the vacancy."

BE IT THEREFORE RESOLVED THAT the Parliament appoints the Elected Member for West Bay North – Mr. Bernie A. Bush, to be a Member of the Committee.

The Speaker: The Motion has been duly moved. Does the Honourable Premier wish to speak thereto?

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Only to say that as the Motion indicated, there was a resignation from the Committee which left a vacancy. The Government is now seeking, with the leave of the House and the successful anticipated passage thereof, to appoint Mr. Bernie Bush, who I can inform the House has agreed to serve on this Committee.

Concerns were expressed to me by the Honourable Leader of the Opposition that there were quorum problems from time to time and, in the interest of good governance, as this is a very significant, important and essential committee that meets as a watchdog of Government expenditure, we thought it prudent to utilise this Meeting of the House to rectify that situation.

I wish the Committee the very best, and pray tell that the quorum will not be a challenge from here on forth.

The Speaker: Thank you, Madam Premier. 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.

First, I thank the Premier for accepting my request and bringing forward this Motion to fill the vacancy left by the resignation of the Member for East End. It was no secret, because all of our meetings and investigation reports, et cetera are held in public, that we struggled to make quorum ever since the Member for East End resigned.

I'm really happy that the Committee is not only restored to its full complement, but that it restores and keeps the balance of the Committee that we would have. I'm happy to support the Motion, and look forward to continuing our work on the Public Accounts Committee with robustness now that we will have no further issues with the quorum.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Leader of the Opposition.

Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause]

The Honourable Minister of Planning.

Hon. Johany S. Ebanks: Mr. Speaker, I rise to thank everyone, and show my support of the Members, but I do not want the House to be misled.

The reason the Member for East End resigned from the Committee wasn't that he wasn't attending, but because he became a Minister. I want to ensure that everyone knows that he didn't just resign because he didn't want to be a part of it.

I just wanted to raise that and say, that I fully support the Motion and I look forward to good things coming from the committee.

The Speaker: Thank you, Honourable Minister. The Member for East End has a good friend.

Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] If no other Member wishes to speak, I will put the question.

BE IT THEREFORE RESOLVED THAT the Parliament appoints the Elected Member for West Bay North, Mr. Bernie A. Bush, to be a Member of the Committee. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Government Motion No. 6 of 2023-2024 passed.

The Speaker: Madam Clerk.

OTHER BUSINESS

PRIVATE MEMBER'S BILL

FIRST READING

Consumer Protection and Guarantees Bill, 2023

The Speaker: Before we proceed further, may I enquire of the Member moving the Bill, namely the Honourable Member for Bodden Town West, whether he wishes to proceed with the First Reading, or he wishes to move the Motion he indicated to me earlier.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker. Mr. Speaker, I would like to move the Motion that I indicated to you before the First Reading.

The Speaker: Please proceed.

Mr. Christopher S. Saunders: Mr. Speaker, [in accordance with], I think Standing Order 58, but I'm not sure.

Following your advice from yesterday with regards to Bills being materially changed due to amendments based on feedback received from the public during the consultation period, there are going to be material changes to the Bill. As such, I seek the leave of the House to move a Motion to withdraw the Bill at this time pending those amendments being made, and further public consultation as a result of those amendments.

Thank you.

The Speaker: The Motion needs a seconder.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Mr. Speaker, I rise to second the Motion.

The Speaker: The Motion has been duly moved.

The Motion is to grant the Member for Bodden Town West leave to withdraw the Private Member's Bill entitled Consumer Protection and Guarantees Bill, 2023.

Does any Member wish to speak thereto?
[Pause] Does any Member wish to speak thereto?
[Pause]

The Honourable Premier.

The Premier, Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

Just for the record to reflect the Government's gratitude to the Honourable Member for Bodden Town West for agreeing to withdraw the Motion, after having duly considered it, and responding to the feedback from the public. The Government has had a discussion with the Member and is happy at this stage to agree with that withdrawal Motion, sir.

The Speaker: Thank you, Madam Premier.

Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause]

If not, I will put the question that Private Member's Bill entitled Consumer Protection and Guarantees Bill, 2023 be withdrawn from this meeting of the Parliament. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Consumer Protection and Guarantees Bill, 2023 withdrawn.

The Speaker: We have come to the end of the Order Paper.

Madam Premier, may I have any indication of how we proceed tomorrow?

ADJOURNMENT

The Premier, Hon. Juliana Y. O'Connor-Connolly:

Thank you, Mr. Speaker.

Mr. Speaker, after having spoken with our colleagues I'm happy to be in the consensus mode. I wish to move the Motion to adjourn sine die. All questions that were not answered will be answered in writing and circulated no later than Friday of this week. I've spoken to my team.

The Speaker: Thank you, Madam Premier.

The question is that this House now do adjourn sine die. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

The House is accordingly adjourned sine die.

At 4.23 p.m. the House stood adjourned sine die.