

PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

Fourth Meeting of the 2022/2023 Session

First Sitting

Wednesday 7 June, 2023 (Pages 1-13)

Hon. Katherine Ebanks-Wilks, MP Speaker

<u>Disclaimer</u>: The electronic version of the *Official Hansard Report* is for informational purposes only. The printed version remains the official record.

PRESENT WERE:

Hon. Katherine A. Ebanks-Wilks, MP Speaker

MINISTERS OF THE CABINET

Hon. G. Wayne Panton, JP, MP *Premier*, Minister of Sustainability & Climate Resiliency and

Finance & Economic Development

Hon. Juliana Y. O'Connor-Connolly, JP, MP Deputy Premier, Minister of Education and District Administration

& Lands

Hon. Bernie A. Bush, MP Minister of Youth, Sports, Culture & Heritage

Hon. André M. Ebanks, MP Minister of Financial Services & Commerce and Investment,

Innovation & Social Development

Hon. Sabrina T. Turner, MP Minister of Health & Wellness and Home Affairs

Hon. Johany S. "Jay" Ebanks, MP Minister of Planning, Agriculture, Housing & Infrastructure

Hon. Dwayne S. Seymour, JP, MP Minister of Border Control & Labour

EX OFFICIO MEMBERS OF THE CABINET

Hon. Franz I. Manderson, MBE, Cert Hon, JP Deputy Governor, ex officio Member responsible for the

Portfolio of the Civil Service

Hon. Samuel W. Bulgin, KC, JP *Attorney General*, ex officio Member responsible for the

Portfolio of Legal Affairs

ELECTED MEMBERS GOVERNMENT BACKBENCHERS

Ms. Heather D. Bodden, OCI, Cert. Hon., JP, MP Parliamentary Secretary to Tourism *and* Social Development,

Elected Member for Savannah

Hon. Isaac D. Rankine, JP, MP Deputy Speaker, Parliamentary Secretary to Home Affairs and

Planning, Agriculture & Infrastructure, Elected Member for

East End

Hon. W. McKeeva Bush, JP, MP Elected Member for West Bay West

OPPOSITION MEMBERS

Hon. Roy M. McTaggart, JP, MP Leader of the Opposition, Elected Member for George Town

East

Mr. Joseph X. Hew, MP Deputy Leader of the Opposition, Elected Member for

George Town North

Mr. Moses I. Kirkconnell, 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 MEMBER

Mr. Christopher S. Saunders, MP Elected Member for Bodden Town West

ABSENT:

Hon. Kenneth V. Bryan, MP

Minister of Tourism & Ports
Hon. Sir Alden McLaughlin, KCMG, MBE, KC, JP, MP

Elected Member for Red Bay

OFFICIAL HANSARD REPORT FOURTH MEETING OF THE 2022/23 SESSION WEDNESDAY 7 JUNE, 2023 10.32 A.M.

First Sitting

[Hon. Katherine A. Ebanks-Wilks, Speaker, Presiding]

The Speaker: Good morning, Members. This morning we will be graced with prayers by the Member for George Town South.

PRAYERS

Ms. Barbara E. Conolly, Elected Member for George Town South: Good morning.

Let us pray:

Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the 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 these 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 the Parliament, the Leader of the Opposition, Ministers of the Cabinet, ex officio Members, Members of the Parliament, the Chief Justice and Members of the Judiciary that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together:

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

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

The Speaker: Please be seated.

Proceedings are now resumed.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

The Speaker: None.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: I have received apologies from the Minister of Tourism and Ports who is off Island on official business.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

Requests to Finance Committee for
Appropriation Changes Sought Under Section 12
of the Public Management
and Finance Act (2020 Revision) —
for the Year Ending 31 December 2023
prepared in accordance with
Section 12 of the Public Management
and Finance Act (2020 Revision)

The Speaker: The Honourable Premier.

[Pause]

The Premier, Hon. G. Wayne Panton, Minister of Sustainability & Climate Resiliency and Finance & Economic Development, Elected Member for Newlands: Madam Speaker, thank you.

I beg to lay on the Table of this honourable House, the Requests to Finance Committee for Appropriation Changes Sought Under Section 12 of the Public Management and Finance Act (2020 Revision) — for the Year Ending 31 December 2023.

The Speaker: Does the Honourable Premier wish to speak thereto?

The Premier, Hon. G. Wayne Panton: Thank you, Madam Speaker, just briefly.

In accordance with Standing Order 67(1), the Requests to Finance Committee for Appropriation Changes sought under section 12 of the Public Management and Finance Act (2020 Revision) for the year ending 31 December 2023 document has just been Tabled, and stands referred to the Finance Committee. Therefore, I do not need to expound further as it will be addressed there.

Thank you, Madam Speaker.

Report of the Standing Business Committee – Third Meeting of the 2022-2023 Session of the Cayman Islands Parliament

The Speaker: The Honourable Premier.

[Pause]

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

Madam Speaker, I beg to lay on the Table of this honourable House, a Report of the Standing Business Committee of the House, in respect of the Third Meeting of the 2022-2023 Session of the Cayman Islands Parliament.

The Speaker: Does the Honourable Premier wish to speak thereto?

The Premier, Hon. G. Wayne Panton: No, thank you, Madam Speaker.

Cayman Islands Government
Plan & Estimates – 1st Supplementary Plan and
Estimates
For the Financial Year:
1 January 2022 to 31 December 2022

The Speaker: The Honourable Premier.

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

Madam Speaker, I beg to lay on the Table of this honourable House, the 2022 Supplementary Plan and Estimates for the Government of the Cayman Islands for its fiscal year ended 31 December 2022.

The Speaker: Does the Honourable Premier wish to speak thereto?

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

In accordance with Standing Order 67(1), the 2022 Supplementary Plan and Estimates document that was just laid on the Table, stands referred to the Finance Committee. As the estimates will be

considered in Finance Committee at the conclusion of the Second Reading of the associated Supplementary Appropriation Bill that is on the Order Paper today, I will only make brief remarks with respect to the Tabled document.

Madam Speaker, the 2022 Supplementary Plan and Estimates document is structured in the following way: Section A of the document shows, in respect of the specific appropriations being changed, the following information:

- 1. The amount of the original approved appropriation for a particular budget item;
- The amount of the supplementary appropriation proposed for the particular budget item; and
- 3. The revised end of year appropriation amount for the particular budget item.

Madam Speaker, section B of the document shows the Unaudited Financial Statements for the Financial Year ended 31 December 2022.

Madam Speaker, Honourable Members should use the Supplementary Plan and Estimates as a document which provides more information to each of the items in the schedule to the Supplementary Appropriation (January 2022 to December 2022) Bill, 2023; again, as will be dealt with later today on the Order Paper.

Thank you, Madam Speaker.

Hon. W. McKeeva Bush, Elected Member for West Bay West: Madam Speaker.

The Speaker: Member for West Bay West.

Hon. W. McKeeva Bush: To clarify an understanding... When will we get the estimates that might be coming today to Finance Committee? When will we see them?

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, I am not sure which particular estimates the Member is referring to, but we have the Supplementary Plan and Estimates in respect of the 2022 financial year; and the Supplementary Appropriation (January 2022 to December 2022) Bill, 2023, which is the related Appropriation Bill to effectively tidy up the 2022 financial year. Then, we have Tabled already, the Requests in respect of section 12 requests to be considered by Finance Committee, which relate to the 2023 financial year. Thus, I am not sure whether the Member is referring to—

Hon. W. McKeeva Bush: Madam Speaker, I am talking about the Supplementary Plan.

We are expected to go to Finance Committee—I am hoping early and today—and that's what I'm

asking to see because I wouldn't know what's coming before us until we get it. I don't have a copy. If there is a copy, then I would like to get that or some plan.

The Speaker: Honourable Premier, did Members not receive a copy of the Plan and Estimates? Is that what the Member is referring to?

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

Yes, Madam Speaker, the Plan and Estimates which is titled the "1st Supplementary Plan and Estimates"—I just want to confirm that there is no intention to have any other version of the Plan and Estimates for the 2022 financial year—this was distributed to Members quite some time ago. Madam Speaker, I think it must be at least five or six weeks.

Hon. W. McKeeva Bush: Madam Speaker, I don't know what the Premier is talking about; I didn't get any. I don't know if any other Members got any, but I just got it from the Serjeant-at-Arms. I just got it and he said, they just got it, so finally I have mine but I didn't get it until now.

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, just for the Member for West Bay West's benefit, I think all Members of this honourable House received a copy of this electronically with a Business Paper distributed by the staff of Parliament. I agree that he would not have necessarily had a hard copy delivered to him, but it was delivered electronically as is typical

Hon. W. McKeeva Bush: Madam Speaker, I have long complained about these big documents being sent on our phone or a computer somewhere about, which has to go to Miami and to the foreign office and then come back to us, because something else must be happening as I am not getting all these huge emails that they talk about.

Also, we know sometimes Madam Speaker—we have to understand these things—that things go awry. They get sent, just by a [wrong] digit sometimes, [to] someplace else. Just this week, we had a misunderstanding because they said something was sent to me, and I know... I did not receive it. Hence, they have to be careful, and some of these things need to be delivered by hand.

The Speaker: Honourable Member, as we are trying to move to a modern Parliament, all of the Members received these documents electronically. If you so wish to have hard copies, we can make a notation so that whenever anything is being distributed, hard copies are prepared aside for you.

Hon. W. McKeeva Bush: Madam Speaker, I don't want anyone to believe that I don't want a modern Parliament, but modern to the extent that we can still represent our people. With all this paper and hidden paper and paper going somewhere else, we can't really know what's going on at times. I've said that long time, not just now. I've said, please let me have hard copies; you can [then] send it on, and then it can go to Miami, then to London, and then they can come back to me.

The Speaker: Thank you, Honourable Member.

For the avoidance of doubt, this was circulated from the Parliament on 17th May, 2023 to all Members. However, we will ensure that moving forward, you and the Deputy Premier have hard copies.

Also, I am not insinuating that you are not wanting a modern Parliament. We all understand that these changes take a little bit longer for some people to adapt to.

Ministry of Education - Cayman Islands Government – Annual Report 2022 – A Synopsis of Our Achievements And Financial Statements

The Speaker: The Honourable Deputy Premier.

Hon. Juliana Y. O'Connor-Connolly, Deputy Premier, Minister of Education and District Administration and Lands, Elected Member for Cayman Brac East: [Good] morning. Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Floor of this honourable Parliament the report for the Ministry of Education - Cayman Islands Government for 2022. It's our annual report: A Synopsis of our Achievements and Financial Statements.

The Speaker: Does the Deputy Premier wish to speak thereto?

Hon. Juliana Y. O'Connor-Connolly, Deputy Premier: No, Madam Speaker, thank you. It's self-explanatory, and in the interest of time.

The Speaker: Thank you.

Ministry of Investment, Innovation & Social Development – Cayman Islands Government – Annual Report 2021

The Speaker: The Honourable Minister of Investment, Innovation and Social Development.

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

Madam Speaker, I rise and I beg to lay on the Table of this honourable House, the Annual Report for

the financial year ended 2020, for the Ministry of Investment, Innovation and Social Development.

The Speaker: Does the Honourable Minister wish to speak thereto?

Hon. André M. Ebanks: No, thank you, Madam Speaker.

The Cayman Islands Law Reform Commission – Annual Report No. 18 – 1st April, 2022/31st March, 2023

The Speaker: The Honourable Attorney General.

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

Madam Speaker, I seek the leave of the House to lay on the Table, the Cayman Islands Law Reform Commission Report for the period 1st April, 2022 to 31st March, 2023.

The Speaker: Does the Honourable Attorney General wish to speak thereto?

The Attorney General, Hon. Samuel W. Bulgin: Madam Speaker, yes, just to highlight some of the work of the Commission, if I may.

Madam Speaker, the Commission's mandate as set out under the Law Reform Commission Act (2019 Revision) is among other things, to study and review all the Acts of the Cayman Islands with a view to informing their systematic development and reform.

To achieve this, Madam Speaker, the work of the Commission is continuous in nature and is marked by comprehensive research, deep analysis and thoroughly considered recommendations. These recommendations seek to inform Government by presenting issues in a clear and objective manner.

Madam Speaker, the membership of the Commission comprises six Commissioners who perform their role on a part-time basis and four full-time members of staff. The current Commissioners are: Chairman, Mr. Hector Robinson, KC; the Honourable Justice Alexander Henderson, KC, retired judge; Mr. Vaughan Carter, Attorney-at-Law; Mr. Abraham Thoppil, Attorney-at-Law; Solicitor General, Ms. Reshma Sharma; and the Director of Public Prosecutions, Mr. Simon Davis, by virtue of [his] Office.

Madam Speaker, the legal and administrative staff of the Commission are: Mr. José Griffith, Director; Ms. Catriona Steele, Senior Legislative Counsel; Ms. Felicia Connor, Paralegal; and Ms. Milicia Bodden, Administrative Secretary.

Madam Speaker, during the 2022-2023 reporting period, the Commission continued its work on a range of subject areas. Of note, is that the Commission submitted for the AG's [Attorney General] consideration, three final reports, each supported by draft

legislation. One report was titled, *Usury: The Common Law and Statutory Position in the Cayman Islands*. Madam Speaker, for the benefit of Members and the public, the general definition of 'usury' is, *the practice or action of lending money at unreasonably high interest rates*. The Commission examines whether any prohibition against usury exists in the Cayman Islands, whether at common law, by statute or both and have recommended enacting legislation to provide some clarity in this area.

The examination, Madam Speaker, in this issue came against the background of questions being raised by, among others, legal practitioners querying whether there are any usury laws in the Cayman Islands. The Commission's report therefore served to advance legal clarity on the issue.

Madam Speaker, one of the reports also looked at the Penal Code (2019 Revision) and the extent of its compatibility with the Bill of Rights. Just to say, Madam Speaker, that's understandably important as the Penal Code plays a fundamental role in defining the rules governing some of our most important relationships as a society.

Madam Speaker, there is also a report done by the Commission entitled 'Appeals Tribunals', and it recommends establishing a centralised administrative appeals tribunal to replace the majority of existing appeals tribunals.

Madam Speaker, the international trend towards consolidating tribunals, reflects a view that the practice of establishing tribunals on an *ad hoc* basis has led to a system that is overly complex and inaccessible, resulting in sub-optimal outcomes for users. Thus, through its research and consultation, the Commission formed the view that Cayman Islands has the opportunity to improve access to justice and increase accountability in administrative decision making by creating a well-resourced and professionally operated centralised tribunal. The recommended model is designed to provide a consistent, high-quality appeals process while ensuring that the system is not burdened by the formality and complexity of court procedures.

Madam Speaker, moving on, it is with pleasure that I report that during the reporting period, the Law Reform recommendations resulted in significant legislation being progressed through this Parliament for implementation. The final reports, respectively titled, Regulation of Queen's Evidence: Immunity from Prosecution, Restricted Use Undertakings and Reduced Sentences; Contempt of Court; and Bullying: Legislation, Policy or Both? culminated in the enactment of the Criminal Justice (Offenders Assisting Investigations and Prosecutions) Act, 2022. Also, the Contempt of Court Act, 2022, the Penal Code (Amendment) Act, 2022 as well as the Education (Amendment) Act, 2022, and the making of the Anti-Bullying (Schools) Regulations, 2022.

Madam Speaker, just to touch on the Education (Amendment) Act, 2022, it introduced a

requirement for every school to have a written anti-bullying policy, and empowered Cabinet to make regulations specifying the matters to be included in such a policy. The resulting Anti-Bullying (Schools) Regulations, 2022 specify a range of matters to be included in an anti-bullying policy such as prevention, reporting, investigation and disciplinary procedures.

Madam Speaker, it is gratifying to see the work of the Commission over many years of research, consultation and deliberation culminate in the passage of these laws.

Madam Speaker, the other projects of the Commission, all of which are at different stages of the law reform process include: a review of the Settled Land Act (1998 Revision), review of consumer protection legislation, reform of the Defamation Act (1995 Revision), severance of joint tenancies, reform of the Succession Act (2021 Revision); and the issue of cremation; jury trial, hate speech and the Common Law for future rule.

Madam Speaker, to further its goal of enhancing outreach to members of the public, organisations and professional bodies, the Commission launched its presence on a number of social media platforms during the reporting period. The Commission can now be found on Linkedln, Facebook and Instagram. These platforms will enhance public awareness of the Commission's work and engagement with the law reform process. The Commission aims to continuously widen its research and improve meaningful engagement with the community as public consultation is a key aspect of the law reform process.

In closing, Madam Speaker, the approach of the Commission in the next reporting period would be to continue its mission of systematic development and reform of our legislation as it seeks to stimulate reflection on the laws in our society and make sound recommendations which inform the required legislative reforms.

Madam Speaker, I would like to thank the Commissioners and the staff of the Commission for the excellent work over the years and particularly during the reporting period.

Madam Speaker, with that, I commend to this Parliament for consideration the 18th Annual Report of the Law Reform Commission. I thank you.

Financial Reporting Authority – 2022 Annual Report – Cayman Islands Government Portfolio of Legal Affairs

The Speaker: The Honourable Attorney General.

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

Madam Speaker, I seek the leave of the Parliament to lay on the Table, the 2022 Annual Report of the

Financial Reporting Authority (FRA) which covers the period 1st January to 31st December, 2022.

The Speaker: Does the Honourable Attorney General wish to speak thereto?

The Attorney General, Hon. Samuel W. Bulgin: Yes, thank you, Madam Speaker, with your leave.

Madam Speaker, as an administrative financial intelligence unit, the FRA is responsible for receiving, requesting, analysing and disseminating financial information disclosures concerning proceeds of criminal conduct, or suspected proceeds of criminal conduct. Domestically, Madam Speaker, the investigation of financial crime and associated offences fall under the ambit of the local law enforcement agency.

Madam Speaker, the FRA during the relevant period received 1,586 cases comprising 1,365 suspicious activity reports (SARs), and that was received from 338 reporting entities. There were also 152 requests for information and 45 voluntary disclosures from 52 overseas Financial Intelligence Units [FIUs] as well as 24 requests for information from a local law enforcement agency or competent authority. The number of cases received increased by 55 per cent compared to the number of cases received during the 2021 period and that is 1,586 against 1,025 [for the] previous period.

Madam Speaker, touching on the main sources of SARs. For the first time, Madam Speaker, banks were not the largest source of these reports. Virtual Asset Service Providers or VASPs as they are called were the largest source with some 374 cases or 24 per cent; followed by banks, 239 cases or 15 percent; then overseas Financial Intelligence Units, 197 cases or 12 per cent; investment funds 190 cases or 12 per cent; company managers or corporate service providers 177 cases or 11 per cent; mutual fund administrators 113 cases or seven per cent; insurance companies 51 cases or 3 per cent; lawyers 49 cases or three per cent; and securities business 45 cases or 3 per cent.

Madam Speaker, the main reason for suspicion 2022—2022 was the second year for that matter—was that multiple reasons for suspicion for each case could be tracked. For the 1,586 cases received, 2,570 reasons for suspicion were recorded. The five most common reasons for cases received were: suspicious activity 925 cases or 58 per cent; fraud 585 cases or 27 per cent; sanctions 265 cases or 17 percent; politically exposed persons 160 cases or 10 per cent; and money laundering 151 cases or 10 per cent.

During the reporting period, the FRA performed initial analysis on 1,150 cases. It also issued 160 directives pursuant to section 4(2)(c) of the Proceeds of Crime Act (2020 Revision), which is usually a request, once a SAR is received, to financial service providers to amplify or clarify information that has been received from the SARs, or in some cases further

information is sought in order to respond to a request from an overseas financial reporting authority.

Madam Speaker, during the period the FRA also made 24 requests for information to overseas financial reporting authorities primarily to assist local law enforcement agencies with investigations. The FRA closed 1,000 cases during the reporting period resulting in 239 disclosures to local law enforcement agencies or competent authorities and 374 disclosures to overseas FIUs.

During the reporting period, the FRA exercised its powers under section 4(2)(b) of the Proceeds of Crime Act (2020 Revision) on one occasion, in order to obtain an order from the court to order an entity to refrain from dealing with a person's account for 21 days. The assets held by the account in question totalled approximately US\$204,000.

Madam Speaker, the FRA continued to register users from reporting entities and familiarise them with using the AMLive Reporting Portal in order to electronically submit their SARs. At the end of the reporting period, there were 386 registered users from 196 reporting entities; and 1,075 SARs or 75 per cent were filed using this AMLive portal during the period 2022.

Madam Speaker, if I might just touch briefly on Russian sanctions. The Russian invasion of Ukraine on 24th February, 2022 led to an unprecedented number of sanctions being imposed by the United Kingdom and other countries on Russia in terms of size, scale and complexity. As a result, it was a very challenging year for sanctions implementation in the Cayman Islands due to the significantly increased demands on the FRA. Between February and December 2022, there were 17 amendments, with one revocation covering various measures to the UK's The Russia (Sanctions) (EU Exit) Regulations 2019; of these, 14 amendments were extended to the Cayman Islands in 2022. Amendment one was extended automatically, with amendments two to eight and 11 to 16 reflected in the four amendments to The Russia (Sanctions) (Overseas Territories) Order 2020.

The Office of Financial Sanctions implementation (OFSI) published an unprecedented number of new designations under the Russia sanctions regime with over 1,400 new listings since the invasion of Ukraine. The FRA published all of these without delay and sent emails over 1,200 subscribers detailing the changes to the consolidated list that has been extended. Between 1st March and 31st December, 2022, a total of 1,030 compliance reporting forms were received by the FRA related to the Russia sanctions regime. A total of approximately US\$8.8 billion and Euro €298.6 million held by or on behalf of persons designated under the Russia sanctions regime were reported as being frozen. In addition, the FRA received 144 suspicious activity reports related to Russia sanctions which have been cross referenced with the compliance reporting forms. The FRA has also seen a significant increase in licence applications and queries received under the Russia sanctions regime. Twentytwo formal applications were received, the majority of which were made under the extra-ordinary situation and prior obligations listing grounds.

The Cayman Islands has adopted a robust and comprehensive response to the imposition of the new Russian sanction measures. Of note, in March 2022 a joint taskforce comprising representatives from 11 Ministries' offices, portfolios, and agencies was formed to coordinate, identify and implement policy amendments to implement the Russia sanctions regime. The director of the FRA is the Chair of the task force and the Sanctions Coordinator is also a member. The primary purpose, Madam Speaker, of the task force is to provide centralised discussions and decisions around policy and communication arising from the ongoing assumptions. The task force met numerous times during 2022 meeting weekly initially, and then every two weeks later in the year.

Apart from Russia sanctions, Madam Speaker, the FRA also continued actions taken to address recommended actions in the Caribbean Financial Action Task Force (CFATF) Fourth Round Mutual Evaluation Report, which were directly related to targeted financial sanctions for terrorists financing and proliferation financing.

Madam Speaker, allow me to thank the Director of the FRA, Mr. Robert "R. J." Berry and his staff for the excellent job and their professionalism over the years and in particular during the reporting period.

Madam Speaker, I commend the report to this Parliament. Thank you.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

QUESTION NO. 24 NRA PLANS TO REMOVE THE DOUBLE YELLOW LINES IN HAWKINS DRIVE

The Speaker: The elected Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Madam Speaker.

Madam Speaker, I rise to ask the Honourable
Minister Question No. 24 on the Order Paper standing
in my name. The question: can the Honourable Minister
advise what are the plans of the NRA regarding removing the double yellow lines placed on both sides of
Hawkins Drive that have been a longstanding concern
for many residents of that area?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks, Minister of Planning, Agriculture, Housing and Infrastructure, Elected Member for North Side: Madam Speaker, the Traffic

Management Panel after much deliberation has decided to remove the double yellow line on the North Side of Hawkins Drive.

Part 8, section 107 of the Traffic Act (2021 Revision) establishes the Traffic Management Panel and there are five members of that Panel which are:

- (a) the Director of Licensing;
- (b) the Commissioner of Police;
- (c) the Managing Director of the National Roads
 Authority:
- (d) the Chief Officer of the Ministry responsible for roads; and
- (e) one member selected from among the persons living in Cayman Brac or Little Cayman that is appointed to that panel by the Cabinet.

The Speaker: Are there any supplementary questions? The elected Member for George Town South?

Supplementary

Ms. Barbara E. Conolly: Thank you, Madam Speaker. I have one supplementary question, thank you.

Honourable Minister, can you indicate to me the timeframe for when the one side of the double lines will be removed from Hawkins Drive as I have been really struggling and fighting for my constituents in Hawkins Drive to have at least one side of these lines removed for two years now. Can you indicate to me or give me some undertaking as to when this will occur?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, I have been reliably informed that the double yellow lines will be removed by the end of this month.

The Speaker: The elected Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Madam Speaker, and thank you to the Honourable Minister.

I will be watching and waiting, and all of the residents of Hawkins Drive will be notifying me when this occurs. Okay, so I'm leaving it up to you Honourable Minister to ensure that this is done sooner rather than later, but no later than 30th June, 2023.

Thank you.

QUESTION NO. 25 UPDATE ON AIRPORT CONNECTOR ROAD

The Speaker: The elected Member for George Town North.

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

Madam Speaker, I rise to ask Question No. 25 standing in my name to the Honourable Minister of Planning, Agriculture, Housing and Infrastructure. The question reads: can the Honourable Minister update the House on the plans to complete the Airport Connector Road [ACR], including the anticipated completion date?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, the Ministry and NRA are happy to share that section one of the ACR is progressing well. The sub-base works are substantially completed, and construction of the base layer is now progressing. Drainage wells are being drilled which will be followed by the installation of the catch basins. By mid-June, the curbing installation will commence. Other key activities to follow include the installation of street lighting, final base preparation and paving. It is anticipated that the project will be completed before the end of September 2023.

The Speaker: The elected Member for George Town North.

Supplementary

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

I thank the Honourable Minister for that answer and that is good news. In fact, the timing couldn't be better just before the anticipated tourism season.

Madam Speaker through you: can the Honourable Minister confirm now that all of the culverts and all of the necessary infrastructure has been or have been purchased and are here, to ensure that we continue to see the progress?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, I have been reliably informed that the majority of everything that we need is actually here on Island. When it comes to the installation of culverts, the majority of them have already been installed.

QUESTION NO. 26 WHAT ARE THE REQUIREMENTS FOR MOTORISED/ELECTRONIC BICYCLES AND SCOOTERS TO BE USED ON PUBLIC ROADS

The Speaker: The elected Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Madam Speaker.

I rise to ask the Honourable Minister Question No. 26 on the Order Paper, standing in my name. Can the Honourable Minister advise what are the requirements, if any, for motorised bicycles, electronic bicycles, and electronic scooters to be used on public roads, including whether they are required to be insured, licensed and inspected and for helmets to be worn by the users?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, the answer: All types of bicycles (pedal, motorised, electronic) and electronic scooters are allowed on the road. Licensing, which includes passing an inspection upon registration, and wearing of helmets are required once the vehicle has a battery, engine or some other mechanical or electrical device that can propel the equipment 15 miles per hour or more. This includes scooters that are less than 50cc.

The Speaker: Are there any supplementary questions? The elected Member for George Town South.

Supplementary

Ms. Barbara E. Conolly: Thank you, Madam Speaker.

Can the Minister confirm whether all of these e-scooters and motorised bicycles that exceed 15 miles per hour meet the standards that are captured in the Traffic Act and its regulations; that is, are they licensed, insured, is the age factor considered, and is the use of crash helmets enforced?

The Speaker: The Honourable Minister for Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, if you don't mind, I can actually look for that answer for her and put that back in writing to the Member if she's okay with that.

The Speaker: The elected Member for George Town South.

Ms. Barbara E. Conolly: Thank you, Madam Speaker. I'm okay with the Minister to provide an answer in writing to me or to this House.

It's supplementary questions, but I'll just give a little preliminary thing in terms of e-scooters. I know that they are emission free, environmentally friendly, they take pressure off of our roads, right? However, I am very concerned about the safety of these scooters or whatever you want to call them.

Madam Speaker, yesterday in Windsor Park and I just have a clipping of what occurred there. An individual fell off of an electronic bike, no helmet and he was injured. That is really where my concern is at this time and I would like to know whether the Minister would consider if there are any plans to revisit the Traffic Act (2023 Revision) to make it compulsory for electronic registration of these e-scooters similar to registering a motor vehicle, and compulsory insurance.

I know some of the companies that have these e-scooters, I think, their public liability [insurance] will cover that but what about the private scooters that go over 15 miles an hour? I think a lot of us on a daily basis, our heart is in our mouth when we see these scooters and in fact, even the motorised bicycles.

Madam Speaker, I'll be driving along the road and I keep looking for someone to be pedalling, even the bicycles, and they are flying by; they are not pedalling so obviously they're motorised. I just think we need to have some sort of—and I know this is not in the Minister's department or his Ministry in terms of enforcement—but I really think that we have to consider the safety aspects of it out there. I just need some sort of undertaking that we will look into this further in terms of revisiting the Traffic Act with regard to these types of scooters and motorised bicycles on our roads. Thank you.

The Speaker: The Honourable Minister of Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, I have heard the concerns and I thank the Member for the supplementary questions that she just asked, but I have listed them and [will] actually take it back, and I know my team is watching now online so we can actually look to see what we can do in the Traffic Amendment and get back to this honourable House at a later date.

The Speaker: The elected Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Madam Speaker; if you could just indulge me.

I want to take the opportunity to make a comment on the question. I don't want to put the Minister on the spot, but if he has an answer to the question it would be much appreciated. Traditional scooters that are under 15 miles per hour, and bicycles, we are seeing more and more of those on the West Bay Road and that's a good thing, especially on that road because it helps to reduce traffic and of course, does its part in reducing our carbon footprint.

However, Madam Speaker, I am concerned that a large section of the West Bay Road, if you're traveling South coming into Town, the paving on the shoulder and the bike lanes were never completed because of the Water Authority's upgrades on the sewage lines. It seems to me that, that work has been completed, and I would just ask the Minister if he has any idea when they will complete the upgrades of the Seven Mile Beach road on the southern end, to include safe bike

lanes and also the demarcation and proper painting of those bike lanes, which I think, was intended that they would be green just to create that visual barrier for the motoring public. If he has an answer that would be great; if not, then perhaps in writing later.

The Speaker: The Honourable Minister of Planning, Agriculture, Housing and Infrastructure.

Hon. Johany S. Ebanks: Madam Speaker, I know that there are some works that are being looked after on the Seven Mile Beach corridor. I am happy to put that back in writing in detail for the Honourable Deputy Leader, on time frames and there may be a concept drawing of what is happening down there for him.

The Speaker: The elected Member for George Town North.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Madam Speaker, thank you; and I thank the Honourable Minister for that response.

I failed earlier in my initial question to recognise that the Minister visited the constituency and we took a tour, and I indicated that it seems as if the Water Authority was finished with their works there, and he had committed at that point, an undertaking to get it scheduled. I thank the Minister for that.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have given leave to the Honourable Deputy Governor who wishes to make a statement this morning.

The Deputy Governor, Hon. Franz I. Manderson: Good morning, Madam Speaker.

Thank you for agreeing for me to make this statement at short notice.

Madam Speaker, as required by section 11(6) of the Public Management and Finance Act (2020 Revision) (PMFA), I make this statement to Members of this honourable House with respect to the "exceptional circumstances" transactions that were approved by the Cabinet for the Portfolio of the Civil Service [PoCS] for the period 1st January, 2022 to 31st May, 2023. Such transactions were approved pursuant to section 11(5) of the PMFA. This statement provides details of the aforementioned transactions.

Funding of Ex Gratia Payments to Pensioners - \$1,035,000

Madam Speaker, during the first quarter of 2022 inflation rose sharply by 11.2 per cent. These increases were particularly problematic for pensioners

who rely on fixed income to meet day-to-day living expenses. Like the rest of the world, the Cayman Islands Government did not anticipate nor have control over the exaggerated inflation experienced early last year, set in motion by a global pandemic, increases in fuel prices, and the war in Ukraine, and resulting supply chain issues.

During the month of June through August 2022, Cabinet approved an honorarium for civil servants of \$150 per month to assist with electricity cost. These employer honorariums were funded by savings identified in the Civil Service - Personnel budget and were therefore budget neutral.

Similarly, the Government wished to assist civil service pensioners living on a fixed income. Therefore, a onetime ex gratia benefit of \$450 was approved for payment in August 2022 to assist retired employees. Recipients of this programme were public service pensioners including those receiving an ex gratia pension.

To fund this payment, pursuant to section 11(5) of the PMFA, the Cabinet approved that a sum totalling \$1,035,000 be added to OE 19 – Ex gratia Recipients Plan Payments in order to cover the additional cost during the 2022 fiscal year.

Reallocation of operational surplus - \$310,000

Madam Speaker, during the fiscal year 2022 the Portfolio of the Civil Service embarked on a new project to transform and modernise how Human Resources Management (HRM) is delivered across the civil service by integrating the various HRM IT systems throughout CIG into a singular integrated system named my-VISTA.

When fully implemented, the system will support HRM functions by:

- Streamlining processes;
- Automating tasks currently performed by HR professionals;
 - Improving governance;
 - Improving user experience;
 - Supporting talent development and workforce planning; and
 - Improving the business intelligence that underpins management decision making.

Since its launch in 2022, over 20,000 persons have registered to use the new online recruitment portal which has maintained a user satisfaction [rating] of 8.2 out of 10. Key deliveries to date include:

- Integration of performance management;
- Time recording;
- Leave management;
- Manager Self-service;
- Employee Self-service;
- Custom Workflows; and

Custom Analytics/reports.

Teams from the PoCS, the Minister of Finance and the Computer Services Department are currently collaborating to launch the payroll module by January 2024. Additional funding of \$310,000 was required to cover the phased implementation of the project through to December 2023.

These additional costs include a consultancy cost and software customisation to allow the system to support CIG's statutory and operational requirements.

Madam Speaker, again, the costs of this programme are being fully met by savings achieved elsewhere within the Portfolio. The PoCS has sought and received Cabinet approval to reallocate a portion of its savings realised during the 2022 budget allocation to the my-VISTA project during 2023.

To fund additional forecast capital expenditure required this year for the project, Cabinet has approved:

a) The reduction in the PoCS' 2022 output group appropriations via section 11(5) as follows:

CIV 15 – Policy Advice and Administrative Support pro- vided to the Deputy Governor	Reduced by \$19,134
CIV 1 – Policy Advice to the Head of the Civil Service	Reduced by \$139, 410
CIV 16 – Reports on Educational Standards and Education Related Matters	Reduced by \$58,550
CIV 7 – Workforce Develop- ment within the Civil Service	Reduced by \$92,906
Total	\$310,000

b) These savings were then relocated to increase the 2023 equity injection EI35 in support of the my-VISTA project via section 11(5) into the Portfolio of the Civil Service in the sum of \$310,000.

The proposed adjustment for the fiscal year 2022 to 2023 will be budget neutral as the surplus in 2022 will be allocated in 2023 to EI35 to fund the forecast capital expenditure associated with the HR project.

In conclusion, Madam Speaker, the aforementioned "exceptional circumstance" transactions were approved by Cabinet for the Portfolio of the Civil Service in July 2022 and May 2023, respectively. After factoring these unplanned expenditures, the Government is still able to maintain compliance with the Principles of Responsible Financial Management.

I wish to thank the Government for their consideration in supporting so many diverse needs across our communities. We have seen in recent times their support when providing free school lunches for

Cayman's youth; support for household electricity usage as a result of high fuel cost during the summer of 2022; and the support to individuals and businesses who were emerging from the disruptions caused by COVID. As this example shows, Madam Speaker, the Government is equally committed to helping Cayman's elderly offset the steep rise of fuel cost and overall inflation which took off in the summer of 2022.

I wish to record my sincere thanks on behalf of the public service pensioners. Thank you, Madam Speaker.

Hon. W. McKeeva Bush: Madam Speaker.

The Speaker: The elected Member for West Bay West.

Hon. W. McKeeva Bush: Under Standing Order 30(2) I'd appreciate asking the Honourable Member a short question.

The Speaker: So ordered.

The Elected Member for West Bay West to raise your question.

Hon. W. McKeeva Bush: Thank you, Madam Speaker.

Madam Speaker, if possible, can the Member say, what is the lowest amount of pension paid to former civil servants per month?

The Speaker: The Honourable Deputy Governor.

[Pause]

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

I beg your indulgence, I was just speaking with the Financial Secretary.

Madam Speaker, to the best of our knowledge, the lowest paid to a civil service pensioner who has served in the civil service for over 10 years is around \$900, I think, maybe \$950. Obviously, there are persons who have served far less time and their pension is much less; but that would be because of the short time that they worked in the Civil Service or in the wider public service.

Hon. W. McKeeva Bush: Madam Speaker, I would like to thank the Member. However, can he say, what's the lowest amount of years they serve? Is it three or five years where the Government is giving them something? If they are, which I think they are, can he say any kind of amount?

The Speaker: Honourable Deputy Governor?

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

Again, I am speaking from memory but to the best of my knowledge it's once you have served in the

civil service for 10 years, the least pension that you will receive, and that is via ex gratia top up, is around \$900 to \$950. If you have served less than 10 years, then your pension will be less, and I don't know what that amount is, varies depending on the person's tenure in the service.

Hon. W. McKeeva Bush: [I thank the] Member again, but I wonder if he could find out and answer in writing or however he wishes to, if someone served five years and they are getting [a pension], what is that amount?

If you don't know at this point, then I appreciate getting that info at some point.

The Speaker: The Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Madam Speaker, I can certainly make some inquiries and find out what would be the average payment for a civil servant who served around five years as the Member asked, and put that in writing.

The Speaker: Thank you, Honourable Members.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

FIRST READING

SUPPLEMENTARY APPROPRIATION (JANUARY 2022 TO DECEMBER 2022) BILL, 2023

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

SECOND READING

SUPPLEMENTARY APPROPRIATION (JANUARY 2022 TO DECEMBER 2022) BILL, 2023 **The Speaker:** The Honourable Minister of Finance, the Premier.

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

Madam Speaker, I rise to move the Second Reading of a Bill shortly entitled the Supplementary Appropriation (January 2022 to December 2022) Bill, 2023.

The Speaker: The Bill has been duly moved. Does the mover wish to speak to the thereto?

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

Madam Speaker, the purpose of this Bill is to seek Parliament's approval for appropriation changes with respect to output groups, various other classifications of operating expenditures, equity investments and executive assets in respect of the financial year ended 31st December, 2022.

Madam Speaker, once an Appropriation Bill for a financial year has been approved by Parliament, the Bill becomes the Appropriation Act for a particular financial year and such an Act establishes what is commonly referred to as the budget for a fiscal year.

Madam Speaker, there are three ways in which the budget amounts contained in an Appropriation Act can be changed during the course of a financial year. Firstly, by way of section 11(5) of the Public Management and Finance Act (2020 Revision), which allows Cabinet to make such changes. Secondly, by way of section 12 of the Public Management and Finance Act which allows the Finance Committee to approve changes to an established Appropriation Act; and thirdly [through] section 25 of the Act, for its Parliament to authorise changes to an already approved Appropriation Act.

Madam Speaker, this Bill arises in respect of the Government's use of all of these sections of the Public Management and Finance Act (2020 Revision).

Madam Speaker, sections 11(6), 12(3), and 25 of the Act, state that when a government utilises each of those sections to make changes to an appropriation Act, those changes are to be included in a supplementary appropriation Bill which must be presented to Parliament. This explains the existence of the Bill now before the House, it satisfies a legal requirement that, changes to an already approved appropriation Act must be placed in a single supplementary appropriation Act or Bill after a financial year has ended; and that Bill must be presented to the Parliament for its scrutiny and hopefully its approval.

Madam Speaker, I would make just two additional points. Firstly, the vast majority of the changes set out in the Schedule to the Bill have already been approved. The Schedule to the Bill has a total of 64 appropriation changes recorded thereon; 61 of which have been previously approved by Cabinet under

section 11(5) of the Public Management and Finance Act (2020 Revision) or by Finance Committee under section 12(2) of the said Act.

Madam Speaker, the operating expenditure appropriation changes have a net total of \$94.6 million whilst the capital expenditure and investment changes total a net of \$6.8 million. I used the word net because there are reductions to some expenditures as well as obviously, the more frequent and dominant increases to expenditures. The important point worth repeating is that 61 of the 64 items on the Schedule have been approved previously by Finance Committee and by Cabinet for which Honourable Ministers had made statements in the House and indeed other Members, as we just had one example from the Honourable Deputy Governor which explains the necessity for granting approvals for such items.

Secondly, Madam Speaker, it is hopefully not too optimistic that given the circumstances explaining the origin of the Supplementary Appropriation Bill that the Finance Committee's consideration of the items in the Schedule to the Bill will proceed with some degree of alacrity.

Madam Speaker, the Bill indicates changes that can be categorised as follows:

- The items on the Schedule to the Bill that were approved by Cabinet for presentation to the Parliament and Finance Committee for review, scrutiny and possible approval. This is being done in accordance with section 25 of the Act.
- Items on the Schedule to the Bill where Cabinet as it is legally empowered to do under section 11(5) of the PMFA, made changes to the budget during the 2022 financial year period;
- 3. Items on the Schedule to the Bill that Finance Committee itself previously approved throughout 2022 under 12(2) of the Act.

Madam Speaker, many of the supplementary requests arose as a result of specific government decisions over that period of time taken in response, for example, to the COVID 19 pandemic, as well as the inflationary impacts, and increased cost of energy and related issues.

The significant appropriation changes included in the Bill are:

- \$16.5 million of financial assistance to displaced tourism workers affected by the closure of the Islands' borders due to COVID 19;
- \$8.5 million for a provision with respect to the electricity assistance programme to give residents across all three Islands a fuel cost credit to help alleviate the significantly increased cost of electricity during the last six months of 2022;
- \$5 million was made available to micro and small businesses to mitigate the effects of COVID-19 on their operations;

- \$5.8 million was for the provision of medical care to indigent patients;
- \$12.1 million was made available to provide additional funding to public health programmes to combat COVID-19; and
- \$30.7 million of additional funding was made available for the purpose of providing tertiary medical care at local and overseas institutions.

Madam Speaker, I am aware of two proposed Finance Committee Stage amendments to the Bill, and those amendments will be provided during Finance Committee deliberations. They do not reflect any increases in the amount appropriated, it's more a reordering of certain funding that was set out in the original Act.

Madam Speaker, the Bill itself consists of three main parts.

Clause 1 which provides the name of the proposed Act.

Clause 2 speaks to the appropriation authority of the Cabinet, and the Schedule to the Bill which shows the individual items of appropriation changes that the Parliament is being asked to approve.

Madam Speaker, this is obviously, a tidying up requirement, but a legal requirement which must be addressed by way of this Bill. Thus, I respectfully ask all Members, subject to any clarifying questions they may have, to support the Bill.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak? [Pause] Does any other Member wish to speak? [Pause] Does any other Member wish to speak? [Pause]

The elected Member for West Bay West.

Hon. W. McKeeva Bush: Madam Speaker, I am going to wait until Finance Committee for my input or questions.

The Speaker: Does any other Member wish to speak? [Pause]

Okay, does the mover of the Bill wish to exercise his right of reply?

The Premier, Hon. G. Wayne Panton: Madam Speaker, thank you very much.

Just to thank Members for their tacit support and of course, we will have the opportunity to clarify anything within Finance Committee.

Thank you.

The Speaker: The question is that a Bill shortly entitled the Supplementary Appropriation (January 2022 to December 2022) Bill, 2023, be given a second reading.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Supplementary Appropriation (January 2022 to December 2022) Bill, 2023 was given a second reading.

The Speaker: We will now take an adjournment until the completion of Finance Committee. Just so that Members know, we will commence Finance Committee at 1.00 p.m. I ask for a motion to adjourn.

ADJOURNMENT

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

Madam Speaker, I am pleased to move a motion in accordance with the relevant Standing Order for the adjournment of this honourable House until the completion of Finance Committee.

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

AYES.

The Speaker: The Ayes have it.

This honourable House is now adjourned until the completion of the Finance Committee.

At 11.55 p.m., the House stood adjourned until the completion of Finance Committee.