



PARLIAMENT
OF THE CAYMAN ISLANDS



PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

Fourth Meeting of the 2023/2024 Session
First Sitting

Monday
22 July, 2024
(Pages 1-20)

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. André M. Ebanks, MP	<i>Acting Premier</i> , Acting Minister of Finance and Economic Development, Minister of Financial Services & Commerce and Investment, Innovation & Social Development
Hon. Johany S. Ebanks, MP	Minister of Planning, Agriculture, Housing, Infrastructure and Transport & Development
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. Gloria McField-Nixon	<i>Acting 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 and Social Development, Elected Member for Savannah
Hon. W. McKeeva Bush, JP, MP	Elected Member for West Bay West
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. Juliana Y. O'Connor-Connolly, JP, MP	<i>Premier</i> and Minister of Finance, Education and District Administration & Lands
Hon. Kenneth V. Bryan, MP	<i>Acting Deputy Premier</i> , Minister of Tourism & Ports
Hon. Franz I. Manderson, MBE, Cert Hon, JP	<i>Deputy Governor</i> , ex officio Member responsible for the Portfolio of the Civil Service

OFFICIAL HANSARD REPORT
FOURTH MEETING OF THE 2023/2024 SESSION
MONDAY
22 JULY, 2024
10:40 A.M.
First Sitting

[Hon. Sir Alden McLaughlin, Speaker, presiding]

The Speaker: Good morning. The House is now in session. I would ask Minister Sabrina Turner to grace us with prayers.

PRAYERS

Hon. Sabrina T. Turner, Minister of Health & Wellness and Home Affairs, Elected Member for Prospect: 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 Parliament, the Leader of the Opposition, Ministers of the Cabinet, ex-officio members, 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 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.

The Clerk: Administration of oaths or affirmations.

The Speaker: Madam Clerk, I think perhaps we should deal with apologies first. It would explain why Mrs. McField-Nixon is being sworn in.

I have apologies from the Honourable Premier who is ill, and unlikely to be here this week.

I also have apologies for the Minister of Tourism and Ports, Honourable Kenneth Bryan, who will be out today but should re-join us tomorrow; and for the Honourable Deputy Governor who is away on extended leave dealing with the issues with his good wife.

Madam Clerk.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

OATH OF ALLEGIANCE AND DUE EXECUTION OF OFFICE

The Clerk: Oath of Allegiance and Due Execution of Office by Mrs. Gloria McField-Nixon, the Acting Honourable Deputy Governor, responsible for the Portfolio of the Civil Service to be a temporary ex-officio Member of the Parliament.

The Acting Deputy Governor, Hon. Gloria McField-Nixon: I, Gloria Michelle McField-Nixon, do swear that I will be faithful and bear true allegiance to His Majesty King Charles III, His Heirs and Successors, according to Law. So help me God.

I, Gloria Michelle McField-Nixon do swear that I will well and truly serve His Majesty King Charles III, His Heirs and Successors, and the people of the Cayman Islands in the office of ex officio Member of Parliament. So help me God.

The Speaker: Mrs. McField-Nixon, we welcome you, again, to this Parliament in your role as temporary Acting Deputy Governor.

Please be seated.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: None.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

**Signed versions of
Plan & Estimates for the
2024 and 2025 Financial Years**

**Budget Statements for the
2024 and 2025 Financial Years**

**Purchase Agreements for the
2024 and 2025 Financial Years**

**Ownership Agreements for the
2024 and 2025 Financial Years**

The Speaker: Honourable Acting Premier.

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

I beg to Table the following signed documents with respect to the Government's 2024-2025 financial statements; the Plan & Estimates of the Cayman Islands Government; the Budget Statements for Ministries, Portfolios and Offices; Purchase Agreements of the Statutory Authorities and Government Companies (SAGCs) and non-governmental suppliers; and Ownership Agreements for Statutory Authorities and Companies.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I have a brief set of remarks on behalf of the Premier.

"When the Government presented its 2024-2025 Budget in December 2023, that presentation involved documentation that was unsigned at the time and this is perfectly within the normal and legal manner in which budget documentation is presented to Parliament, prior to the start of a budget period. Since December 2023, the process to obtain signatures in the documents has been ongoing. Signatures are often between Honourable Ministers, official Members of Cabinet, Chief Officers, Chairpersons of Statutory Authorities and Government Companies and the nongovernmental output suppliers."

All told, Mr. Speaker, 128 pairs of signatures have been obtained and these signatures are in the budget documents that I've just Tabled.

One last point, Mr. Speaker, in an attempt to save paper, only one hard copy set of the signed

budget documents was produced and Tabled, as one set of the printed documents is approximately 3,422 pages. If any Member wishes a hard-copy set, the Ministry of Finance will fulfil such a request. Mr. Speaker, the document will be emailed to Honourable Members by parliamentary staff.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Acting Premier. God forbid that anyone wants a hard copy.

[Laughter]

2023 Supplementary Plan and Estimates for the Financial Year ended 31 December 2023

The Speaker: Honourable Acting Premier.

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

I beg to lay on the Table of Parliament, the 2023 Supplementary Plan and Estimates for the Government of the Cayman Islands for the Financial Year ended 31st December, 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Mr. Speaker, I have a brief statement to read on behalf of the Honourable Premier:

"Thank you, Mr. Speaker. In accordance with Standing Order 67(1), the 2023 Supplementary Plan and Estimates document has been laid and stands referred to 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 further down on the Order Paper, I wish to make only brief remarks with respect to the Tabled document."

"Mr. Speaker, the 2023 Supplementary Plan and Estimates document that has just been Tabled is structured in the following way: Section A of the document shows, in respect of the specific appropriations being changed, the following information—

- *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*
- *the revised end of year appropriation amount for the particular budget item.*

"Mr. Speaker, Section B shows a document, unaudited financial statements for the year ended 31st December, 2023."

"Mr. Speaker, Honourable Members should use the Supplementary Plan and Estimates as a

document that provides more information to each of the items in the Schedule to the Supplementary Appropriation Bill for the Year 2023. That Bill appears further down on the Order Paper.

"Thank you, Mr. Speaker."

The Speaker: Thank you, Honourable Acting Premier.

**Cayman Islands Government -
Ministry of Finance and Economic
Development - Annual Report 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Mr. Speaker, I beg to lay on the Table of this honourable House the Annual Report of the Ministry of Finance and Economic Development for the year ended 31st December, 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Yes, Mr. Speaker, I have a brief statement to read on behalf of the Honourable Premier:

"Mr. Speaker, the Auditor General has issued an unqualified opinion on the financial statements of the Ministry for the year ended 31st December, 2023. An unqualified opinion signifies that the information contained in the financial statements is accurate and can be relied upon.

"As shown on page 9 of the Annual Report, during the year ended 31st December, 2023, the Ministry comprised of 162 staff members of which 141, or 87 per cent, were Caymanian. Mr. Speaker, 69 per cent of the staff members were female and the majority of staff was 46 years and older.

"Mr. Speaker, some of the Ministry's key events and achievements during the financial year included:

- processing 571 requests for the waiver of stamp duty and import duties at a value of \$5.6 million;
- conducting 27 training sessions on the procurement process;
- establishing the government-wide contract for computers and accessories, estimated value of \$4 million;
- conducting the Household Budget Survey which comprised of the survey of approximately 200 households per month, which is fundamental for the updating of the consumer price index;
- Also, Mr. Speaker, generating \$28.2 million in investment revenue for the Government's investment portfolio;

- managing health insurance benefit for 1,008 seafarers, veterans and their dependents;
- increased the portrayal of the Ministry's appreciation to staff by hosting social events; and
- implementing the Ministry's Professional Learning [sic] and Development Policy, which is to guide on the provision of professional assistance and support to employees in order to increase effectiveness.

"On page 51 to 55 of the Annual Report, Mr. Speaker, the statement of entity and executive financial transactions shows that on behalf of the Cabinet, the Ministry collected \$32.8 million in executive revenue which is approximately \$7.2 million above budget.

"On behalf of the Cabinet, the Ministry also incurred \$67.2 million in executive expenditures, which were \$4.3 million below the revised budget. Some of the reasons that contributed towards the overall achievement of the executive financial transactions were:

- the land holding companies' share transfer charge receipts being over budget by \$4.7 million due to a shift in share transfer activity;
- environmental protection fund fees were over budget by \$0.3 million due to an increase in post-COVID-19 flights to the island;
- property insurance stamp duty received exceeded budget expectations by \$1.6 million due to an active real estate market; and
- the cost of general insurance was over budget by \$2.3 million due to an increase in premium rates and additional insurance over new properties.

"Mr. Speaker, the statement of financial position shows that the Ministry itself end the financial year with \$21.9 million in total assets; of this amount, \$13 million or 59 per cent is comprised of cash and cash equivalents, which includes cash on hand, cash in transit and bank accounts with a maturity of no more than three months from the date of acquisition. Total liabilities amounted to \$2.2 million, the majority of which is comprised of \$1 million in other payables and accruals. Net assets are total assets, less total liabilities, which amounted to \$19.7 million [sic].

"Mr. Speaker, the statement of financial performance shows that the Ministry earned \$18 million in operating revenue for the year. Almost all of this revenue was earned from the delivery of outputs to Cabinet.

"The Ministry incurred the same amount, (18 million), in operating expenses during the 2023 Financial Year of \$14.2 million or 79 per cent comprised of personnel costs. The Ministry ends the 2023 Financial Year in a breakeven position.

"Mr. Speaker, I'd like to thank the staff and the management of the Ministry for their hard work during the 2023 Financial Year, and I look forward to their successes in the years to come.

"Thank you, Mr. Speaker."

The Speaker: Thank you, Honourable Acting Premier.

**Cayman Islands Development Bank -
Annual Report for the Year Ended
December 31, 2023 - Audited**

The Speaker: Honourable Acting Premier.

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

I beg to lay on the Table of this honourable House the Annual Report of the Cayman Islands Development Bank, frequently called CIDB, for the year ended 31st December, 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: No, Mr. Speaker. This report is self-explanatory.

The Speaker: Thank you.

**Annual Report 2023 – CINICO –
Fiscal year ended 31 December 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House the Annual Report of the Cayman Islands National Insurance Company, commonly referred to as CINICO, for the year ended 31st December, 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I have a brief statement to read on behalf of the Honourable Premier:

"Mr. Speaker, the Office of the Auditor General has issued an unqualified opinion on the financial statements of CINICO for the 2023 Financial Year. During the 12-month period ending 31st December 2023, CINICO comprised of 52 staff members, of which six were at senior management level. At the end of 2023, the average number of covered lives that CINICO insured totalled 16,935, which was an increase from the prior year by 3 per cent.

"The indigent, civil servants and their dependents, and the pensioners' group realised the largest

increases in terms of numbers of persons over the prior year, with a growth rate of 6 per cent, 4 per cent and 3 per cent respectively.

"Mr. Speaker, as at 31st December, 2023, CINICO earned \$143.6 million in total income, the majority of which was derived from premium income for civil servants.

"Mr. Speaker, CINICO incurred \$135.2 million in total expenses, of which \$124.1 million or 92 per cent was for the payment of incurred claims, which are essentially the health benefits paid under the insurance plans that CINICO administers.

"Mr. Speaker, total expenses also comprised of \$0.25 million in contributions to the segregated insurance fund; \$1.1 million for claim administration fees or third-party administrator's fees; and \$7.9 million for the administration fees that CINICO incurred in order to operate the company's office, including personnel costs, rent, depreciation, audit and actuary fees. With the exception of US claims, all payment functions were performed locally, which improved claim paid turnaround times to the benefit of members and providers. In 2023, the total number of claims processed increased by 19 per cent due to higher utilisation.

"As at 31st December, 2023, CINICO recorded net income of \$8.4 million compared to the prior year of \$11 million. At the end of 2023 financial year the total assets of CINICO totalled \$67 million, while total liabilities totalled \$17.1 million.

"Mr. Speaker, the Government wishes to express its gratitude to CINICO and its Board of Directors for their assistance and support during the period of review.

"Thank you, Mr. Speaker."

The Speaker: Thank you, Honourable Acting Premier.

**Mercer - Judicial Pension Plan - Report
on the Actuarial Valuation for Funding Purposes
as at January 1, 2022 (March 2023)**

**Mercer - Parliamentary Pension Plan – Report
on the Actuarial Valuation for Funding Purposes
as at January 1, 2022 (March 2023)**

**Mercer - Public Service Pensions Plan – Report
on the Actuarial Valuation for Funding Purposes
as at January 1, 2022 (March 2023)**

The Speaker: Honourable Acting Premier.

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

I beg to lay on the Table of this honourable House, Mercer's Actuarial Valuation Reports for Funding Purposes of three pension plans: the judicial pension plan, the parliamentary pension plan and the public service pension plan.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak to them separately, or together?

Hon. André M. Ebanks, Acting Premier: No, Mr. Speaker. They are all self-explanatory in my opinion.

The Speaker: Thank you.

**Ministry of Education - Cayman Islands
Government - Annual Report 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker, I beg to lay on the Table of this honourable House, the Ministry of Education's Annual Report 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: No, Mr. Speaker, the report is self-explanatory. Just to thank the staff of the Ministry of Education, and of course, all of our students who perform as brilliantly as they can.

The Speaker: Thank you.

**University College Cayman Islands -
Annual Report 2022**

**University College Cayman Islands -
Annual Report 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House two annual reports with respect to the University College Cayman Islands, for the years 2022 and 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Very briefly, Mr. Speaker, to thank the staff of the college and all the students for their hard work.

The Speaker: Thank you.

**Ministry of District Administration & Lands -
Cayman Islands Government - Annual Report
and Financial Statements
(2023 Financial Year)**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Ministry of District Administration and Lands Annual Report and Financial Statements for the year 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: No, thank you, Mr. Speaker, the report is self-explanatory.

The Speaker: Very well.

**2023 Annual Report
Water Authority-Cayman**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the 2023 Annual Report of the Water Authority of the Cayman Islands.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Only briefly to say thank you to the Water Authority Board and staff for this unqualified opinion. Thank you.

The Speaker: Very well.

**Annual Report 2023 - Sister Islands Affordable
Housing Development Corporation**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Annual Report 2023 of the Sister Islands Affordable Housing Development Corporation.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: No, thank you, Mr. Speaker; I believe the report is self-explanatory.

The Speaker: Very well.

**Report & Recommendation of the
Minister Responsible for Lands on the Vesting
of Crown Land Block 13 B Parcel 103H6 to
Brian Francis Wight and Ronna-Lynn Wight**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Mr. Speaker, I beg to lay on the Table of this honourable House, the Report and Recommendation of the Minister responsible for Lands on the Vesting of Crown Land Block 13B Parcel 103H6 to Brian Francis Wight and Ronna-Lynn Wight.

The Speaker: So ordered.

Does the Honourable Acting Premier to speak thereto?

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I have a brief statement to read on behalf of the Honourable Premier:

"Mr. Speaker, if I may first provide some background. The property was first registered to a company called Diversified Manufacturing Systems in 2003; however, this company was struck off by the Registrar of Companies on 31st December, 2009, on the statutory grounds that the Registrar had reasonable cause to believe that the company was not carrying on business or in operation, per section 156 in part four of the Companies Act, 2023. This action is automatically taken by the Registrar with any qualifying company when annual company registration fees are not paid.

"Section 162 of this Act states, 'Any property vested in or belonging to any company struck off the Register under this Act shall thereupon vest in the Minister charged with responsibility for Finance and shall be subject to disposition by the Cabinet, or to retention for the benefit of the Islands.' Therefore, Mr. Speaker, ownership of the property automatically became vested in the Crown after the company had been struck off in excess of ten years, this being the term of years after which a defunct company becomes legally incapable of reinstatement under the Act.

"Mr. Speaker, in 2022, the Cabinet decided that the vacant property was surplus to requirements and should be sold. Three valuations of the land to be transferred are required under the Governor (Vesting of Lands) Act (2005 Revision); one from the Government's chief valuation officer and two from independent property valuation companies.

"The three opinions of market value are Lands and Survey Department CI\$718,000, DDL CI\$725,000 and Quayside CI\$805,000. Accordingly, Mr. Speaker, in 2022 the Lands and Survey Department conducted a public tender exercise inviting sealed offers by a deadline; however, the highest bid received was below market value and the Cabinet decided not to accept any of the offers received at that time, and that the property be remarketed by a professional real estate agent.

"Mr. Speaker, in 2023, the Department undertook a competitive procurement exercise of realtors registered to the Cayman Islands Real Estate Brokers Association. The highest point score was realtor Miss Amber Yates, of Century 21. Miss Yates was appointed in 2023 and widely marketed the property at a listing price of \$990,000. Best bids were requested by the 29th February, 2024, Mr. Speaker, and on that deadline, the best bid of US\$915,000 was submitted by Brian Francis Wight and Ronna-Lynn Wight.

"Mr. Speaker, after careful analysis and consideration of a report on 28th May, 2024, Cabinet resolve to advise Her Excellency the Governor to approve the sale of Crown land block 13B parcel 103H6 to Brian Francis Wight and Ronna-Lynn Wight for a consideration of US\$915,000. The Cabinet did not waive the stamp duty due on the transfer, and realtor sales commission, at the standard rate of 6 per cent applicable to this sale, will be deducted from the gross sale proceeds.

"Mr. Speaker, I confirm, that as required by the Act, the details of this proposed land disposition have been published in the Cayman Islands Gazette on the 12th June, 2024, and a local newspaper, namely the Caymanian Times, also on 12th June, 2024. Accordingly, Mr. Speaker, accompanying this Report are all the documents specified in section 10(2) of the Governor (Vesting of Lands) Act (2005 Revision), including the valuation reports.

"Mr. Speaker, I respectfully ask your permission, once again, to Table this Report. Thank you."

The Speaker: Thank you, Honourable Acting Premier.

**Report of the Standing Business Committee -
Third Meeting of the 2023–2024 Session of
the Cayman Islands Parliament**

The Speaker: Honourable Acting Premier.

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

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

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Just to thank yourself, Mr. Speaker, the parliamentary staff, and all Members for this report. Thank you.

The Speaker: Very well.

**Cayman Islands Monetary Authority -
Annual Report 2023**

The Speaker: Honourable Deputy Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Cayman Islands Monetary Authority - Annual Report 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Very briefly, Mr. Speaker, to thank the Cayman Islands Monetary Authority for their exemplary work in regulating the top industry of this country, the financial services industry. I'd like to thank the Board, all of the staff— particularly the Managing Director, whose job is never easy on the best of days— and to all of the staff who support her for their stellar work.

Thank you, Mr. Speaker.

The Speaker: Very well.

**Auditors Oversight Authority -
Cayman Islands — Annual Report
for the Year Ended 31 December 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Auditors Oversight Authority - Cayman Islands—Annual Report for the Year Ended 31st December 2023.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: No, thank you, Mr. Speaker. I believe the report is self-explanatory.

The Speaker: Very well.

**Ministry of Investment, Innovation & Social
Development – Cayman Islands Government –
2023 Annual Report**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you Mr. Speaker. I beg to lay on the Table this honourable House, the Ministry of Investment, Innovation and Social Development - Cayman Islands Government - 2023 Annual Report.

The Speaker: So ordered.

Does the Honourable Acting Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Yes, Mr. Speaker, very briefly. I would like to thank the Chief-Officer Tamara Ebanks for leading the Ministry team through a strong year in the area of Investment, Innovation and Social Development.

Mr. Speaker, in particular, the Ministry was able to move along the project for the national e-ID. After the work in 2023, we expect that by the end of this year there will be a roll out on a voluntary basis; in addition to testing the e-ID, the regulations under the Financial Assistance Act were completed, and now we're moving to the next phase to make the entire regime operational in this year.

I thank all of the staff, the Heads of Departments and all of the officers for their stellar work during the year 2023. Much appreciated.

The Speaker: Very well.

**Government of the Cayman Islands – Children
and Youth Services (CAYS) Foundation –
Annual Report for the Year Ended
31 December 2023**

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to lay on the Table of this honourable House, the Children and Youth Services (CAYS) Foundation - Annual Report for the year ended 31st December 2023.

The Speaker: So ordered.

Does the Honourable Deputy Premier wish to speak thereto?

Hon. André M. Ebanks, Acting Premier: Very briefly, Mr. Speaker, to thank the Foundation, particularly its Board Chair, Mr. Garth Arch and all the employees. It's a challenging foundation, but I believe within 2023 they set out a renewed vision for taking the Foundation to stronger heights.

I thank them all for their service, and also the Department of Children and Family Services that acts as their regulator. Thank you.

The Speaker: Thank you, Honourable Acting Premier. You got a bit of exercise this morning.

**QUESTIONS TO HONOURABLE
MINISTERS AND MEMBERS
OF THE CABINET**

The Speaker: Members, as we have passed the hour of 11 o'clock, we will need to suspend Standing Order 23(7), in order that questions can be put to Ministers after that hour. Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Thank you.

[Inaudible interjection]

The Speaker: [Section] 23(7) and (8), I am advised.

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

Hon. André M. Ebanks, Acting Premier: Thank you, Mr. Speaker. I beg to move that Standing Order 23(7) and then 23(8) be suspended, so questions may be put after the hour of 11 a.m.

The Speaker: The question is that Standing Order 23(7) and (8) be suspended in order that questions may be put to Ministers after the hour of 11 o'clock.

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

AYES.

The Speaker: The Ayes have it.

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

QUESTION NO. 17 UPDATE ON UPLIFT TO THE MINIMUM WAGE

The Speaker: Honourable Leader of the Opposition.

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

Mr. Speaker, I rise to ask question No. 17, standing in my name, to the Honourable Minister of Border Control, Labour and Culture. The question reads: Can the Honourable Minister state when a decision will be made on the implementation of an uplift to the minimum wage?

The Speaker: Honourable Minister of Border Control, Labour and Culture.

Hon. Dwayne S. Seymour, Minister of Border Control & Labour, Elected Member for Bodden Town East: Thank you, Mr. Speaker.

Since the release of the Minimum Wage Advisory Committee's final report, the Members of Cabinet have been debating various approaches to make changes to the existing minimum wage regime, while giving careful consideration to the implications for Caymanians, as well as general economic concerns. After much consideration, a decision was made to initiate the

reactivation of a Minimum Wage Advisory Committee with specific instructions to investigate and recommend a sectoral approach to minimum wage for the Cayman Islands.

At this time, it was also decided that effective the 1st July, 2025, employees of the hospitality and service industry would be the only sector to receive an increase in the minimum wage to \$7 per hour. It was also decided that the current structure for this sector whereby 25 per cent of the minimum wage can be made up by gratuities will be removed as of the 1st July, 2025. For the time being, until the new Minimum Wage Advisory Committee completes their investigations, all other sectors will remain at the current minimum wage of \$6 per hour.

Thank you.

The Speaker: Thank you Minister. Supplementaries?

Supplementaries

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

Mr. Speaker, I wonder if the Minister could tell us when this new Minimum Wage Advisory Committee is expected to complete its work and the report issued or Tabled.

The Speaker: Honourable Minister.

Hon. Dwayne S. Seymour: Mr. Speaker, I thank the Member for the question. It is something that we hope to get started as soon as possible.

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

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

I believe I heard him say that the committee has yet to be formed and commence its work. Is my understanding correct?

The Speaker: Honourable Minister.

Hon. Dwayne S. Seymour: Mr. Speaker, somewhat correct. We will also look towards pulling members from the past committee that just finished its work.

The Speaker: Thank you, Minister.

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

Mr. Speaker, through you to the Minister; what then happens with the existing report, has that been rejected by the Government and no longer being considered?

The Speaker: Honourable Minister.

Hon. Dwayne S. Seymour: Mr. Speaker, the report is not rejected. In fact, it is quite extensive and I want to thank the committee for the work that they did; but they provided a report based on what was asked of them.

The Caucus and Members of the Government needed more information and data on the sectoral approach. Members felt that we couldn't just do a blanket minimum wage across all sectors because of the economic impact it may have on Caymanians who may not see an increase in their own salaries.

The Speaker: Thank you, Minister. Anything further? Madam Clerk.

QUESTION NO. 18 ARE THERE SUFFICIENT PUBLIC HOSPITAL BEDS

The Speaker: Member for George Town West.

Mr. David C. Wight, Elected Member for George Town West: Thank you, Mr. Speaker.

I rise to ask question No. 18, standing in my name, to the Minister of Health and Wellness and Home Affairs. Can the Honourable Minister advise whether there are sufficient public hospital beds in Grand Cayman, given the rapid increase in the number of people living on the Island since the end of the pandemic?

The Speaker: Honourable Minister,

Hon. Sabrina T. Turner: Mr. Speaker, the answer:

I appreciate that this question is, at face value, about the number of hospital beds in Grand Cayman; but it actually alludes to a greater issue, which is that of the capacity of our health care system in light of our population growth. As such, I would like to provide a more holistic response that addresses both concerns.

I have been reliably informed that the Health Services Authority, HSA, currently has 104 inpatient beds in Grand Cayman, not including the neonatal intensive care unit, NICU, and the Accident & Emergency Unit at the George Town Hospital.

Mr. Speaker, Faith Hospital, which primarily serves Cayman Brac has 18 beds; and while this would seem to fall outside the scope of the question, it must be included, as a lack of hospital beds in the Sister Islands would impact the demand for beds in Grand Cayman— as such, Faith Hospital must also be taken into account.

The HSA also operates within the overarching healthcare landscape of the Cayman Islands, Mr. Speaker, and will refer patients to other local private hospitals if the patient requires services not provided by HSA. Thus, Mr. Speaker, the current total bed capacity for all three of our Islands across the public and private health sector stands at 226 beds, broken down as follows:

- George Town Hospital — 104 beds
- Faith Hospital (Cayman Brac) — 18 beds
- Doctors Hospital — 18 beds
- Health City (East End) — 104 beds

These numbers do not include, Mr. Speaker, Health City's newly opened Camana Bay hospital, which will add an additional 53 beds to the total. It is also important to note that HSA has plans to expand the George Town Hospital campus with an additional 11 inpatient beds by the end of 2025.

Now, Mr. Speaker, the World Health Organisation does not provide recommendations when it comes to number of beds based on the population. They instead provide us with figures of trends across a number of countries. The current benchmark, based on these trends and other studies, suggests a ratio of 3.4 beds per 1,000 persons. Based on this ratio, and Cayman's population of 83,000 persons, Cayman would require 282.2 beds.

This number is 56 more beds than what we currently have, but a mere 3 beds more once the Camana Bay hospital opens shortly. However, Mr. Speaker, as our Chief Medical Officer reminds us, there are other, much more significant factors that need to be taken into consideration when assessing our capacity. Among them:

- a) the relative health of the population, and
- b) the system under which care is given.

The relative health of the population determines the demand for care, Mister Speaker. As such, it stands to reason that unhealthier countries need more beds and healthier countries need fewer beds, especially as it relates to infectious disease units, for example.

The system under which care is given also determines whether a more preventative or reactive approach is taken, as prevention and early intervention offset the need for more beds. Furthermore, in the Cayman Islands, recent trends for using minimally invasive surgery such as laparoscopic and robotic assisted surgery, means that a significant number of cases previously needing extended inpatient recovery time are now treated on a day or overnight care-only basis.

While we are constantly looking at ways to strengthen Cayman's healthcare system, and to improve the health of the nation, local services on offer are of good quality and generally accessible. A better test for us when it comes to determining whether we have sufficient capacity is not just about number of beds, Mr. Speaker, but rather by asking "*Are we denying anyone care because we cannot admit them for treatment in a reasonable time?*"

The answer to that, Mr. Speaker, is no. We are not denying anyone care because we cannot admit them for treatment in a reasonable time. We are not aware of any instances either, where care could not be

provided at HSA or a private sector provider due to lack of beds.

The Speaker: Thank you, Minister. Supplementaries? The Member for George Town West.

Supplementaries

Mr. David C. Wight: I would like to thank the Minister for that very detailed response. I had a few questions, but she answered them before I could ask them.

[Laughter]

Mr. David C. Wight: Thank you very much.

The Speaker: Congratulations Minister, I never heard that before.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have received no statements, Madam Clerk.

PERSONAL EXPLANATIONS

The Speaker: I have not received any of those either.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

FIRST READINGS

FIREARMS (AMENDMENT) BILL, 2024

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

SUMMARY JURISDICTION (AMENDMENT) BILL, 2024

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

PERPETUITIES (AMENDMENT) BILL, 2024

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

PHARMACY BILL, 2024

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

SUPPLEMENTARY APPROPRIATION (JANUARY 2023 TO DECEMBER 2023) BILL, 2024

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

The Clerk: Second Readings, Firearms (Amendment) Bill, 2024.

The Speaker: Honourable Acting Premier.

Hon. André M. Ebanks, Acting Premier: Mr. Speaker, prior to Parliament commencing it was a busy morning, and we will have a busy afternoon with the Bills. I can smell lunch in the air, would you mind if we take an early lunch break?

The Speaker: Doesn't take much to persuade me to have lunch.

[Laughter]

Hon. André M. Ebanks, Acting Premier: Okay, Mr. Speaker.

The Speaker: We will now take the luncheon suspension. Can I ask, please, that we resume at 1:30?

Proceedings suspended at 11:38 a.m.

Proceedings resumed at 1:32 p.m.

The Speaker: Please be seated.
Parliament is resumed.

SECOND READINGS

FIREARMS (AMENDMENT) BILL, 2024

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 the Second Reading of a Bill, the long title of which is "A Bill for an Act to amend the Firearms Act (2008 Revision) to amend the definition of "firearm"; to provide definitions for, among those words, "privately made firearm", "prohibited device" and "prohibited weapon"; to provide for offences

relating to, among other things, the importation of prohibited devices and prohibited weapons; to provide for the ban on the manufacture of firearms and the alteration or conversion of firearms; to empower the Commissioner to collect ballistic signatures and information relating to firearms in the Islands; and for incidental and connected purposes”.

The Speaker: The Bill has been duly moved.

Does the Honourable Attorney General wish to speak thereto?

The Attorney General, Hon. Samuel W. Bulgin: Yes, Mr. Speaker, thank you very much.

Mr. Speaker, I rise on behalf of the Government to present the Firearms (Amendment) Bill, 2024, for the consideration of Honourable Members of this Parliament. It is with a sense of duty and responsibility that I introduced this Bill. It is, among other things, a critical response by the Government to the ever-evolving and urgent need for enhanced firearm regulation in these Islands.

Mr. Speaker, permit me to provide some context. Let us reflect on our journey thus far. Historically, sir, the Cayman Islands prided itself on being a safe, peaceful and welcoming community. Our firearms legislation, which was established decades ago, was adequate for a time when firearm related offences and incidents were rare; however, as our society has grown and changed, so too, have the challenges we face regarding the use of illegal firearms.

Mr. Speaker, over the years, we have observed a concerning increase in firearms related incidents. You may recall, sir, not too long ago, an incident on Sunday, February 25th, 2024, at the Ed Bush Sports Complex in the district of West Bay where an unknown assailant fired indiscriminately into a crowd of hundreds of families with children, out enjoying a Sunday afternoon football match. The incident resulted in injuries to seven attendees.

Mr. Speaker, in recent years we have witnessed what I might describe as a troubling increase in firearms-related crimes. Incidents that were once isolated, have become ever more frequent, thus posing a significant threat to public safety and thereby undermining the sense of security that Caymanians, residents and, indeed, visitors have long cherished.

Mr. Speaker, these three beloved Islands, have a coastline of approximately 160 kilometres with a maritime claim of 200 nautical miles and an exclusive fishing zone and territorial sea of 12 nautical miles; therefore, Mr. Speaker, our borders require extreme vigilance in order to curtail the importation and exportation of firearms, ammunition and, of course, bulletproof vests.

We have witnessed our travellers being able to utilise outdated provisions of the Firearms Act in ways which no one could have imagined when the Firearms Law was passed by legislature back then. Mr. Speaker,

who would have thought that the Firearms Act allow a traveller to disembark in these Islands with a cache of firearms, then decide to turn them in, and only at that juncture seek permission to bring the firearms into the Island.

Therefore, Mr. Speaker, we are proposing to close the apparent loopholes in the traveller's option so as to require prior approval from the Commissioner of Police before firearms, ammunition and bulletproof vests are legally allowed to enter these Islands. We are coupling that with increased penalties for illegal importation and exportation. It is hoped that these proposed amendments will reduce Cayman Islands' attractiveness for illegal importation of firearms, ammunition and bulletproof vests.

Mr. Speaker, in the past year alone, we have recorded multiple high-profile crimes involving firearms, including armed robberies, of course; and then the question of importation, as well as the shooting at the Ed Bush field, which I alluded to earlier. These events have caused consternation throughout our community, thus highlighting the inadequacies of our current legislation and the urgent need for reform.

Mr. Speaker, the impact of these crimes extends beyond the immediate victims. They instil fear and anxiety within our neighbourhoods, they disrupt social harmony and place increased strain on our law enforcement resources, and I dare say as well, in our healthcare system. Despite the best efforts of law enforcement to control illegal importation and use of firearms, the existing legislation has proven inadequate in addressing the ever-evolving challenges facing the Cayman Islands today. The message is clear: our existing legal framework is no longer sufficient to combat the sophisticated and violent nature of today's firearm-related crimes.

Mr. Speaker, this Bill aims to rectify these shortcomings by introducing more stringent controls and updating our legal framework to reflect the current realities. The challenges being faced by law enforcement include, but are not limited to, the proliferation of both serialised and non-serialised firearms— the so-called “ghost guns”— as well as the importation of disassembled parts of firearms, whether made by a firearm manufacturer or by way of 3D printing. These disabled parts, when reassembled, become the untraceable “ghost guns”.

Mr. Speaker, the Bill introduces harsher penalties for the illegal possession and use of firearms and ammunition. These enhanced penalties are designed to act as a strong deterrent against all unlawful activities involving firearms, as well as ammunition and component parts.

Mr. Speaker, I met with some stakeholders after the Bill was published for consultation, including members of the Sport Shooting Association and persons who are involved in farming. They had concerns about provisions of the Bill and we had what I consider to be a very productive meeting. Mr. Speaker, as I said

to them at the time, the legislation is not aimed at restricting their sporting activities or criminalising what they are doing. The legislation is not meant to contravene anybody's human rights. The legislation is targeting anti-social behaviour which threatens public safety in these Islands; so persons who are firearm holders and who are licensed and observing the Law have no reason to fear.

The problem is, Mr. Speaker, as I mentioned earlier, times have changed. There are those in our society who are very bad actors and the Government needs to be vigilant and proactive in ensuring that these bad actors are dealt with and do not enjoy the luxury, if I may call it that, of interrupting the peace and tranquility that law abiding citizens, visitors and others enjoy in these Islands.

Mr. Speaker, with your leave I will now summarise for the House the main provisions of the Bill which seeks to give effect to its purpose.

Clause 1, as usual, sir, short title to the Bill.

Clause 2 amends section 2 of the principal Act, to deal with definitions for terms such as "firearm", "ammunition", "automatic firearm", "automatic s ear", "component part", "privately made firearm", "prohibited ammunition", "prohibited device", "prohibited weapon", as well as "3D printed firearm".

Mr. Speaker, I intend to propose Committee Stage Amendments to certain definitions under the Bill to refine and clarify their meaning where necessary, and to allow for a particular regime in relation to what is known as "reloaders" and devices that are designed for the discharge of noxious liquid or gas, commonly called pepper spray or *Mace*.

Mr. Speaker, the current definition of a firearm in the principal Act includes ammunition, and one of the primary amendments being proposed is to disaggregate firearm from ammunition, and the necessary consequential amendments which necessarily arise from this aggregation. In other words, the current definition of firearm now includes ammunition; now, we are, by virtue of this Bill, seeking to decouple the firearm from the ammunition so they will each have their separate definition under the proposed amendments.

Mr. Speaker, having decoupled firearm from ammunition, the Bill seeks to treat each of these items based on the individual peculiarity and complexities. The new proposed definition of ammunition, by including the component parts, is aimed at ensuring that the Cayman Islands, for example, bring its laws into conformity with legislation in other jurisdictions, including the United Kingdom, which recently amended its definition of ammunition with the passage of its 2023 Firearms (Amendment) Act.

In particular, sir, in light of the increased lethality of certain types of ammunition, the Bill seeks to restrict the importation, sale and possession of certain ammunition which are designed to explode, or change its structure prior to or upon impact. These so called "RIP bullets" (Radical Invasive Projectiles) pose a

significant risk to public safety, as they are designed to splinter and thus cause maximum injury to human beings, if God forbids a human is hit by one of them.

Mr. Speaker, when the principal Act was last amended in 2008, the notion of being able to purchase a component part of a firearm was a rarity. However, as a workaround for the increasing tightening of firearm restrictions in manufacturing countries such as the United States of America, manufacturers are now producing so called, "*80 per centers*" or "80 per cent build", as these are not recognised by law enforcement as firearms. The manufacturers of these 80 per cent builds do not include the serial portion of the firearm. This leads to the creation of so-called "untraceable ghost guns"; by inclusion of the component parts of a firearm in the definition of firearm in the Bill, the Cayman Islands is seeking to tackle and address the problems caused by ghost guns in these Islands.

Mr. Speaker, I must observe that this is not a problem that is unique to these Islands. I read recently in this paper from, I think it was Antigua and Barbuda, where they were having problems with ghost guns, as is the case in Trinidad and other jurisdictions. The proliferation of ghost guns is an issue not just in the Caribbean, but in other jurisdictions— North America and elsewhere.

We are trying to get ahead of the problem here, and the plan is that some of these amendments will help to address this emerging problem. Further, Mr. Speaker, the inclusion of "privately made firearm" in the Bill attempts to take cognisance of the global challenges law enforcement faces due to the wide accessibility of software which facilitates the 3D printing of firearms and other weapons. These, of course, lead to more ghost guns.

Mr. Speaker, again, we intend to do a Committee Stage Amendment. I think when the Bill was published initially, there was some printer's devil which gave the impression that the Government was trying to criminalise the possession of 3D printers. I just clarified that the Government is not seeking, and will not be seeking to outlaw the possession of 3D printers. We all know the usefulness of 3D printers. What is being outlawed is the software, whatever it is that is used to make the firearm using 3D printers.

Mr. Speaker, clause 3 seeks to amend section 3 of the principal Act to tighten the importation, or exportation, if you will, of firearms, ammunition and bullet-proof vests. In light of the proposed amendment to section 2 of the Act to criminalise prohibited devices and prohibited weapons, we are also proposing enhanced penalties for illegal importation of these items. The position now is:

- unlawful importation of a firearm— \$100,000 or 20 years imprisonment;
- unlawful importation of prohibited device — \$100,000 or 10 years imprisonment; and
- unlawful importation of prohibited weapon — \$250,000 or 35 years imprisonment.

I know there are those who are going to say, “*Well, these penalties are harsh*”. Mr. Speaker, there is one way to deal with this— don't get involved with unlawful possession or the use of firearms. This should only be of concern to you if you intend to break the law as it relates to firearm possession and use.

Mr. Speaker, clause 4 seeks amend section 4 of the principal Act to provide, among other things, that travellers are mandated to declare if they have any firearm, any ammunition or bulletproof vests in their possession. It should be noted that by definition, a traveller in the Firearms Act means “**Any person who arrives in the Islands as an officer or member of a crew or passenger** [so it's any of us who travel on the airline] **or a stowaway upon any vessel or aircraft**”; thus, Mr. Speaker, all persons entering the Islands are travellers, not just tourists.

Mr. Speaker, clause 5 seeks to amend section 5 of the principal Act to clarify the traveller's option available to licensed firearm holders who enter these Islands by expressly providing that prior to arrival in the Islands— *prior to arrival in the Islands*— permission must be received from the Commissioner of Police to disembark with firearms, ammunition or bulletproof vests. If such permission is not received, the firearm, ammunition or bulletproof vest must remain on the vessel or the aircraft until that vessel or aircraft leaves the jurisdiction. They won't be allowed to disembark with it. On contravention of this, Mr. Speaker, [a person] is liable on conviction to a fine of \$100,000 and imprisonment for a term of up to 20 years.

Mr. Speaker, clause 6 seeks to repeal and replace section 6 of the principal Act, the aim of which is to clarify the powers of the Director of Customs and Border Control, who will be responsible for the custody of firearms, ammunition or bulletproof vests handed in, in exercise of the traveller's option as I just outlined.

Mr. Speaker, clauses 7, 8 and 9 of the Bill provide for minor amendments that are consequential to the amendments proposed to the decoupling of ammunition from firearm that I mentioned.

Mr. Speaker, clause 10 inserts a new section 9A in the legislation. This new section 9A restricts the acquisition of a firearm having two or more component parts from different manufacturers, once this buildout is done by anyone other than a manufacturer. This provision is one of the few provisions seeking to deal with the issue of ghost guns which I discussed earlier.

Mr. Speaker, clause 11 inserts a new section 12A in the legislation that seeks to restrict actions which can be made to a firearm, and which would alter the manufacturer's ballistic signature, thus making the firearm untraceable. Consequent upon further consultation with licensed firearm holders, I mentioned the Cayman Islands Sport Shooting Association, we will be proposing to make a minor amendment to this clause at the Committee Stage.

Mr. Speaker, clause 12 seeks to amend section 15 of the principal Act to, among other things, introduce new offences and the resulting penalties consequent upon the proposed amendment to include prohibited devices and prohibited weapons. The proposed amendment will result in the following penalties:

- Unlawful possession of a firearm – \$100,000 or 20 years.
- Unlawful possession of a prohibited device – \$100,000 or 10 years.

Just to confirm, the definitions for prohibited device and prohibited weapon are in clause 2.

- For unlawful possession of prohibited weapon – up to \$250,000 or up to 35 years imprisonment.
- Unlawful possession of a reloader – \$100,000 or 20 years imprisonment.

Mr. Speaker, there was an issue with the stakeholders that we met with, as it relates to the possession and use of reloaders. The Government is not outlawing the possession and use of reloaders; all the Government is saying, in respect of the amendments to the Firearm Act is that if you have a reloader, it must be licensed. The police must be aware that you have such a device in your possession.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: Yes; so, Mr. Speaker, the advice is that if you intend to possess a reloader, it ought to be licensed.

Mr. Speaker, clause 13 inserts a new section 15A in the legislation which seeks to create the offence of “stockpiling firearms and ammunition”— however, we again had discussions with the stakeholders, and as a result of that, the Government was persuaded that this provision is no longer required or necessary. I think there was language which said that persons couldn't have more than twenty ammunition. After listening to gun club owners and other stakeholders, it was felt that the mischief could be addressed otherwise, with the Commissioner's discretion rather than having bespoke provision in the legislation to address it, so Mr. Speaker, that provision will be jettisoned from the Bill.

Mr. Speaker, the amendment being proposed to the principal Act in clause 14 is also of significance. I have already spoken about at least one instance of indiscriminate shooting into a crowd, endangering the lives of the public, and that was the stadium shooting in West Bay. The Bill seeks to criminalise any such action in the future. Section 18(6) of the principal Act is being amended to create this specific offence of endangering life. In those circumstances, the penalty will be a fine of up to \$250,000 and imprisonment for a term of up to 35 years.

Mr. Speaker, the Government and I certainly could not think of anything more frightening, more caloused, more heinous, more insensitive— and more dangerous— than having a number of persons in our society out, enjoying themselves, watching a football match, and someone finds it necessary to open fire in a crowd. Such behaviour must be frowned upon, and if you are minded to engage in that sort of conduct then, should this Bill become a Law, you will be caught by this amendment.

Clause 15, Mr. Speaker, inserts a new section 18A in the legislation. Its purpose is to prohibit the production of privately made firearms, either by the assembling of parts made by a manufacturer, or the production of a firearm by way of 3D printing, which, as I have already said, leads to the creation of untraceable ghost guns. The penalty for contravening this new section 18A is proposed to be a fine of up to \$250,000 and imprisonment for a term of 35 years.

Mr. Speaker, clause 16 seeks to amend section 19 of the principal Act to provide for minor amendments to that section as a result of the desegregation of the ammunition and firearm that I mentioned earlier.

Clause 17, Mr. Speaker, seeks to amend section 21 of the principal Act to prohibit the granting a firearm licence for the possession of a privately made firearm, the possession of a firearm without serial number, or where the serial number has been tampered with. It won't be licensed.

Clause 18 inserts a new section 30A in the legislation. The purpose of this amendment is to empower the Commissioner of Police to collect and maintain a database of ballistic signatures, serial numbers, and all other relevant information on firearms in these Islands. A necessary exercise, given what is happening in our society.

Clause 19 seeks to amend section 35 of the principal Act to provide for some amendments that would address the issue of the decoupling of ammunition from firearm. Clause 30 is also aimed at that exercise.

Mr. Speaker, we are looking at another set of significant amendments to this legislation to increase the minimum time that a person convicted of an offence under the principal Act will be required to be incarcerated.

Mr. Speaker, as you are aware, the current minimum sentences are determined by the operation of the Firearms Act, as well as the Conditional Release Act and by other means, in which the court sees fit to dispose of these matters, exceptional circumstances, et cetera. Currently, the position is that if you are caught with a firearm and you plead guilty, there is a minimum sentence of seven years which you can receive, unless there are exceptional circumstances.

The proposal is to increase it from 7 to 10 years. As it is now, if you go to trial and contest and you are found guilty, you get a minimum of 10 years. The proposal is to change that to 15 years in prison. Of

course, the maximum penalty under the Firearms Act is still 20 years, and a fine of \$100,000. These are the minimum that are being proposed; as it is now, if you plead guilty, you can get seven years minimum. If you go to trial, the minimum you get is 10 years. The change, as proposed in this Bill, is 7 to 10 and 10 to 15; so the threshold is being increased, should this Bill become law.

Clause 22 seeks to make minor clarifications to section 40 of the principal Act to make it clear that persons convicted of certain offences under the Act should not be eligible to early release on licence, under the Conditional Release Act. Arising from the post-publication consultation process, we intend to make some minor adjustments to this.

It has always been a concern, especially among law enforcement, that you have persons who are caught with and convicted for possession and use of firearm, they're imprisoned and— to use a police officer's expression— *"before you blink, that person's back on the street"* and then becomes a headache for law enforcement again. What this is saying, Mr. Speaker, is that in certain cases, if you are caught with, convicted of, and sentenced for firearm offences and you are sent to prison for 10 years, the proposal in this legislation is that you will spend 10 years in prison— not five-ninths. Not two-thirds. You'll serve the entire duration of your sentence in prison.

Mr. Speaker, when the principal Act was last amended in 2008, the body that was responsible for the maritime enforcement of the local laws relating to ensuring the preservation of, and the safety and security of these Islands was the Royal Cayman Islands Police Service (RCIPS), but you may recall that the Cayman Islands Coast Guard was formed after the legislation creating that body came into effect in 2021; therefore, Mr. Speaker, the Coast Guard was not an entity to which the Firearms Act currently applies.

To correct this anomaly, clause 24 seeks to propose a minor amendment to section 44 of the Act to add the Coast Guard, so that they can be on par with the Royal Cayman Islands Police Service, the Customs and Border Control Service, and other similar law enforcement agencies on these Islands. They would, therefore, also be exempt from the provision of the Firearms Act.

Mr. Speaker, if I might just read what section 44 says, with your leave. The title of Section 44 is **"When provision shall not apply"** — that is the heading, and it says:

"This law does not apply to—

(d) any Member of —

(i) the armed forces of Her Majesty;

(ii) the Royal Cayman Islands Police Force;

(iii) the Prison Service; or

in respect of any firearm or bulletproof vest in his possession in the course of his duties."

Mr. Speaker, to that list we will add that this Law does not apply to the Coast Guard in respect of any firearm or bulletproof vests, or ammunition for that matter, in his possession in the course of his duties. A welcome addition.

Finally, Mr. Speaker, clause 25 seeks to provide for a transitional period between what pertains now and what will exist if this Bill is given the support and eventually passed. The clause provides that proceedings that are currently before the courts will not be affected by the passing of this Bill. Persons whose matters are before the court at the moment and will be dealt with, their matters will continue to be governed by the existing legislation and this won't have any retrospective effect. It's all prospective.

Mr. Speaker, as I mentioned earlier, when the Bill was published, some stakeholders looked at it and became a bit anxious about some of the provisions and what was the intention behind the legislation. We— myself, the Honourable Minister of Planning, the Commissioner of Police, Collector of Customs and other government officials— had a very productive meeting with them, after which, having clarified the provisions and given an undertaking to address some of the concerns that we could properly take on board by way of Committee Stage Amendment, we thought— and I hope— that we have addressed their concerns to the extent that we reasonably could.

Again, Mr. Speaker, the idea is not to curtail or restrict what they can get involved with by way of the sport shooting, but the Government has an overarching responsibility as it relates to the issue of public safety. That is the motive, the real driving force, the primary purpose behind this exercise, in shoring up the provisions of the Firearms Act to ensure that it is fit for purpose in 2023 and deals not just with the existing problems, but the emerging atrocities as it relates to the importation, possession and the use of firearms in these Islands which threatens, and at times does disrupt, the peace and harmony, safety and security that we have all come to cherish in these Islands.

Mr. Speaker, the Bill is not just a legislative measure, but an indication of the Government's commitment to safeguarding our community and preserving the peace and security that define the Cayman Islands; by supporting this Bill, we all will be taking a decisive step in addressing the current challenges and ensuring a safer community— for those of us who call these Islands home, and those who, for one reason or another, traverse these Islands.

Mr. Speaker, I would, therefore, urge that all honourable Members support the proposals outlined in this Bill so that we can all, collectively, fight against gun violence and protect the well-being of Caymanians, residents, visitors and all who call these Islands home.

Before I take my seat, I would like to thank all those who were involved in assisting with the shaping of this Bill: My legislative drafting team; members of the RCIPS; the Commissioner and his team; the Office of

the Director of Public Prosecutions and his team, as well as all of those who have consulted and provided useful feedback on the Bill, including the farmers' representatives, the Sports Shooting Association, and others.

Of course, this is a Government effort, so the entire Cabinet and the entire Government, and the members of the National Security Council as well, [of which] the Honourable Leader of the Opposition is also a Member; all in all, this really is a team effort, and I certainly appreciate it.

Mr. Speaker, thank you very much. I commend the Bill to Members of this honourable House.

The Speaker: Thank you, Honourable Attorney General.

Given the gravity of this matter, and the fact that you alluded to a number of significant Committee Stage Amendments to be proposed, I propose to take a short suspension to give Members an opportunity to digest it before they speak in relation to the Bill. If I could ask Members to be back here by 25 minutes to 3 o'clock. We will take a 20-minute suspension.

Proceedings suspended at 2:19 p.m.

Proceedings resumed at 3:47 p.m.

The Speaker: Please be seated.

When we took the suspension, the Honourable Attorney General had finished presenting the Bill.

Does any Member wish to speak? Does any Member wish to speak? The 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 stand briefly to offer some comments on the Firearms (Amendment) Bill, 2024. Viewers would have seen and those on the radio would have known that we took a break to sit with the Attorney General and his team to go through the amendments so we could understand them better, and also, to satisfy some of our questions. I want to first thank the Attorney General and his team for that; and for being patient with us and taking the time to explain these.

Earlier, the Attorney General spoke about the Bill being one that targets anti-social behaviour that threatens the safety of our people, and every one of us in this House bears that responsibility and shares that view. We did have a couple of questions that perhaps provided some unintended consequences. We have been assured by the Attorney General and his team that they are working on those, and they will be coming in the amendments later on.

Mr. Speaker, the Opposition fully supports this. I think it is timely with all the incidents of crimes with firearms that we have seen over the past couple of

years. It is no longer, as we used to say in the old days, *"Oh, they're wherever, shooting each other."* You think that it's only particular places or circumstances that these things are happening. Today our people are afraid to go out to public events, Mr. Speaker. Persons have concerns, as of recently, just going to football games.

You know, for one of the Government's own celebrations at Pedro's Castle the other day, I had an elderly constituent call me and ask if I thought it would be okay for them to go there, if they would be safe. For the concert on the agricultural grounds, just before the fair, I remember having persons ask me if they would be safe if they attended this concert; if I believed that there would be any trouble. It's on the forefront of our people's mind, especially our elderly people. I reassured them that they would be safe, but it's a shame that they would have to call and ask those questions in today's day and age, on these three little Islands that we have.

We stand ready to assist and support the Government and the Royal Cayman Islands Police Services in this initiative. I also want to take the opportunity on behalf of the Opposition to thank the members of the Cayman Islands Sport Shooting Association for their advocacy and for providing us with their views on this very, very important Bill.

Mr. Speaker, before I sit, I also want to take the opportunity for those out there in the listening public, those watching on YouTube: Spread the word that there is still a gun amnesty happening. The fines and the prison terms included in this Bill will severely increase the punishment for those caught with firearms. The opportunity is there for them to turn them during the amnesty that continues until the end of the month and I would heavily, heavily, encourage anyone who knows someone, or if you have a firearm or ammunition or a bulletproof vest, to turn them in as soon as you can.

Mr. Speaker, we, the Opposition, will support the Bill once we are satisfied with the amendments. Thank you.

The Speaker: Thank you.

Does any other Member wish to speak? The Member for West Bay West.

Hon. W. McKeeva Bush, Elected Member for West Bay West: Thank you, Mr. Speaker.

Mr. Speaker, this is a Bill that has been given much, much discussion with the Government and consultation for the Government. Our Members talked to police and talked to the associations that have been concerned. They have come a long way to get to this point where we have a Bill.

Concerns that I had, of people coming here bringing with them things that seem to be prohibited are presently given certain considerations, under the present law anyway, and our own are given different. Mr.

Speaker, when sufficient explanations are not given, our people blame legislators— we get the blame for all those things; from what I see in the Bill, I think this is being addressed, where the Law will address all as the same, there wouldn't be any biases.

My greatest concern, as the Deputy Leader of the Opposition said, is where we are headed as a country, as a people, this small island. You lie in your bed, in your yard, and you hear the noise, and you know it's gunshots. Some people seem to do it at will. My great concern is where are the guns coming from? That's something for us to ponder in this House. How is that being addressed? I would like to see something tangible being done.

Right now, we are voting funds to get some things that the police and a group in the Civil Service, Cabinet, I think, will help. I know too, that we pledged to give the police department whatever they needed to beef up their ability. I think all Members will remember that we met with the Commissioner of Police and we gave him that undertaking. I don't know if anything has been done. I know of this matter, where... I can't remember what group it was, but one of the Cabinet groups has presented, because I know that we have discussed it. We have discussed in full, several times, the situation of what is needed.

From 1986, I recall [that, during] one of my first CPA meetings, I had the opportunity to talk with the Baroness, who was then the Minister for the Overseas Territories. I talked to her about getting a helicopter and getting the wherewithal to be able to detect ships or boats coming in with illegal matters— from then! Even when Mr. Rowling was the Commissioner of Police, we went all the way to Liverpool, I think, to look at a system of radars. How the UK, while sitting in a plane, I guess, out over the English Channel, could tell when a car was coming down the French coast, getting into the Channel with a boat, and they could track that boat all the way to London when they landed, took the vehicle and caught the people. From then I said we needed that sort of capacity in these Islands, because of how we are situated.

Let us not fool ourselves. Haiti is right close [and] they can't seem to be stopping them from going to the United States. We are not the Turks and Caicos or the Bahamas, where they will push first. When they start stopping them, they'll come this way, too. We got traffic from Honduras, from Jamaica and God knows where else. How much are we geared?

We are in a better position than we were back in 1986, because now we have the Coast Guard and the idea about getting proper radar has come back online; I think that is what the Government group I am talking about is looking at now. It's a lot of money, but we have to do it because of where we are as a country. As was said, you get constituents saying, *"Mac, I'm not coming out to no meeting. I don't want to come to a meeting. I don't want to be out in public because we don't know what's going to happen. We got crazies."*

Look at what just happened up in St. Maarten." These are the kinds of things that people are saying and these are, presumably, illegal weapons. What is happening? We've got to get a hold of it.

The amnesty hasn't gotten anywhere; I heard it was only one gun— now, we know that there is more than that in this country. People have to be more responsible! Where are we, as a country, that you believe you get to walk around like in the Old West with a gun, shooting at everything and everybody? We need to press. Each Member of this House needs to press the authorities in charge, whether that is the National Council or the Police, whatever it is, we just cannot leave it.

I know some people were pressing against the Bill. I think that the amendments coming will address the issues that many of us felt needed to be addressed. The one thing that I always bear in mind: one gun shell in your car, one... Could be there for months. Somebody put it there and you don't know and you could end up getting years for it. Set you up. You think you can't be set up? *[Laughs]*

I hope you're not that *fool-fool* to believe [that]. You don't see what I've just gone through? Thirty years, don't even know the car, don't know who drove where, and they still carry you to court! Now you're going to give powers in this Bill... I said I wasn't going to mention it, but as it goes, I have to. Attorney General! You don't listen, you don't see? And given that kind of incompetence, powers to do what?

It is so when you are set up, they just come and grab you, and they grab who they want. You know how they grab who they want? The person who stole \$750,000 from the Pines? Oh! Her husband paid it back. Nothing happened. Look at many things that happen to Caymanians who are in Northward; similar situations, but different things. Different strokes for different folks. Background. Yeah. *Who they is; who they mix with?* All that counts for us, too.

I know that man in St. Maarten and his wife. I'm sure he didn't expect it that morning. That's the life we've got to live as politicians. I better stop there.

Given the assurances, I am satisfied that we have addressed most, if not all, of the concerns that I know came to me and that we dealt with as a Caucus. We have listened, the Government has listened to the Opposition and other Members, and I think we are on the right track, except for these kinds of situations where you can be set up; and I don't know how to address that. I don't have that answer. Bad people will be bad people, I guess.

We have to be more than careful. Lock our cars properly, lock our homes properly. Doesn't stop them from throwing it in your yard. All sorts of things can come out of this. Bear that in mind.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak? The Member for Bodden Town West?

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

Mr. Speaker, I rise to make a contribution to the Firearms (Amendment) Bill, 2024. Like many Members inside this honourable House, I also received concerns from members of the public. I didn't have the opportunity to share some of the concerns with the Honourable Attorney General, but I'm hoping that during his wrap-up and maybe during Committee Stage, some of those questions could be answered.

Mr. Speaker, I want to start with section 44 of the Firearms Act, in particular, section 44(h). Section 44 starts with—

"This law does not apply to—

(h) any spring gun or spring pistol, spear gun used for the purpose of fishing, bow and arrow, catapult or slingshot, pea-shooter or popgun."

Now, I understand the issue with spear gun, but when I went and looked for spring gun (because it is not something I was familiar with) I saw the definition of a spring gun, according to Wikipedia. **"A spring gun or booby trap gun is a gun, often a shotgun, rigged to fire when a string or other triggering device is tripped by contact of sufficient force to 'spring' the trigger so that anyone stumbling over or treading on it would discharge the gun"** and so forth, and has different examples of a spring gun.

If we were looking at tightening this Law, I was a bit surprised that some of the definitions that were left where the Law does not apply to— now, maybe there could be a separate Law that it applies to, I'm not sure. I would be curious to see, if we're going to tighten it up, and if that is one of the areas we would also look at. Again, just for the record, this is not about spear guns, but it is a spring gun or the spring pistol that caught my attention in the Firearms Act.

Mr. Speaker, in his contribution, the Attorney General spoke about the journey of this legislation. Normally, at the front of each of these Acts, there is the history of the Act, and I noticed that it started as Law 17 of 1964 (22nd October 1964); Law 39 of 1965; Law 10 of 1966; Law 37 of 1966; Law 9 of 1971; Law 26 of 1975; Law 6 of 1983; Law 16 of 1983; Law 16 of 1984; Law 19 of 1986; Law 27 of 1987; Law 20 of 1990; Law 22 of 1990; Law 29 of 1993; Law 2 of 1996; Law 17 of 2005; and Law 3 of 2008.

In short, there have been 17 amendments to this legislation since it was first enacted in 1964, with the last being in 2008.

The thing about it, Mr. Speaker, is when you look at what has happened since 2008 what I can say is that per the Compendium of Statistics, from 2016 to 2022 there was a total of 179 firearm offences recorded; and prior to 2016, between 2010 and 2015, there were actually 40 firearm offences listed in the juvenile court. The reason I raise that, Mr. Speaker, is because when I looked at the Compendium of Statistics

for prior years going back to 2015 and before, there was a section where we could look at the number of crimes reported and the number of crimes cleared up; so you had an idea of the effective rate in terms of managing crime. Then I noticed that past 2015, the Compendium mostly gave us the raw data— just what was reported, not what was cleared up.

At this point, I would very much like for the Acting Premier, and once the Honourable Premier returns as Minister of Finance, to ask the Economics and Statistics Office to once again start reporting the number of crimes that was actually cleared up because it is one thing for us to see the crime that is reported; but it would also be good to see the number of crimes that was actually cleared up.

I'm not going to get into the numbers, because I don't have an international benchmark against which to compare the numbers, but in some years less than 50 per cent of the crimes reported were actually cleared up. I would be curious to see what is the performance in terms of our law enforcement agencies, when considering that we give them a substantial amount of resources in order to fight crime. That's something we need to look at.

The other thing that is of concern to me, Mr. Speaker, goes back to the Defence Act, 2020. I notice in the amendments and in the Honourable Attorney General's contribution, they listed the Government entities that have permission to use firearms. I am just going to read the Defence Law here, starting with page nine, section 5. There are two parts of the Defence Law that I wanted to touch on. Section 5 of the Defence Law, 2020 deals with the **"Duties of the Regiment"**. It says:

- "(1) The Regiment is responsible for —**
(a) the defence of the Islands;
(b) assisting the Royal Cayman Islands Police Service and the Coast Guard when called upon to do so by the Governor; and
(c) providing such humanitarian assistance and disaster relief and other duties as the Governor, after consultation with the Premier, determines."

Section 5(2) goes on to say:

- "(2) In the performance of their duties, members of the Regiment may, with the authority of the Commanding Officer or the delegate of the Commanding Officer, carry firearms."**

I am curious as to whether there's a different section of the Law, or I don't know if they are covered under His Majesty's Forces from that exemption. Then also, section 55 of the Defence Act, on page 29. That section deals with **"Equipment to be returned on discharge"** It reads:

- "55. (1) Where a member of the Regiment is discharged, relinquishes the**

member's commission or is dismissed, it shall be that person's duty to deliver up in good order, fair wear and tear only excepted, all arms, including firearms, clothing and equipment, being public property, issued to the person or in the charge of the person, or, in any case where the delivery of the property is impossible, it shall be the person's duty to pay into the revenue of the Government the value thereof."

Section 55(2) goes on to read:

- "55. (2) A person who fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine equal to seven days' pay or to imprisonment for a term of one month, or to both."**

The crux of the issue that I have is with section 55(3), and I'm hoping that the Honourable Attorney general will be able to clear this up in his closing. It reads:

- "55 (3) Where a person is convicted of an offence under this section, the court by which the person is convicted may make an order providing for the payment of compensation by the person convicted or such other order as the court determines appropriate, and any such order may be enforced as if it were an order made by the court in a civil cause or action."**

Mr. Speaker, I want to better understand how then does that section apply to what we are trying to do in terms of the changes? If we are going to have people in the Regiment hold firearms, bulletproof vests, et cetera, as the law allows them to, and they don't return them, I think at a minimum it also needs to be addressed somehow, somewhere. That's my issue and maybe the Attorney General can clear it up for me.

My final concern, Mr. Speaker, deals with the area where the discretion of the court comes into play. The reason I raise that issue, and my memory is also long, is that one of the first Motions I brought to this House as a new legislator, along with the then Member for Savannah, Mr. Anthony Eden, was to increase the minimum sentences for child molesters. One thing I remember from the Attorney General's contribution to that Motion was not really getting too much on the court's discretion, in terms of certain things that they can do.

While I was disappointed, in terms of that Motion, the one thing that stood out for me more than anything, was that when we filed that Motion, we had 15

or 16 queries from the general public with regards to it; but the following year, when we brought the Motion about free football for the World Cup, we had over four hundred queries. It just goes to show, to some extent, the importance that society placed on football as opposed to the minimum sentence for child molesters.

If it's a situation now where the majority of Members in this Parliament is now willing to look at minimum sentences for firearms, et cetera, I would then ask that we also look at the Penal Code and the minimum sentences for child molesters in this country. In some cases, it is actually not enough of a deterrent. I think it is just as bad as someone using a firearm in some cases, because the damage that it does to people who are affected by it can be very everlasting.

Overall, Mr. Speaker, I am happy that the Government is finally doing something about this. Like I said, the last time has been since 2008, and back then we didn't have as much gun crime as we do today. If anything, I would probably say that these changes are probably long overdue.

As we step in terms of minimum sentences, we also have to recognise that this body is one third of the checks and balances in the system of responsibilities in our country it being that of the executive, the legislative and the judiciary. As we are now giving judicial directions, to some extent, in terms of what we want them to do with minimum sentences, then I think we also need to look at minimum sentences in other areas, not just the firearms.

Crime itself isn't just one issue; some crimes are a gateway to bigger crimes, someone may start off with a small crime and it leads to something bigger and bigger. If we can discourage people from smaller crimes with some minimum sentences being increased, then maybe they won't get to the bigger crimes like guns, et cetera. Outside of that, I want to thank the Government and all those involved in making these changes.

Like I said, those are my concerns. However, they're not material enough to have me not support the Bill, but at a minimum, I want to make sure that we "dot all the I's and cross all the T's", and that other Acts that need to be amended are also amended, especially with regards to the Regiment and the Defence Act.

Mr. Speaker, that's my contribution to this Bill and I look forward to the Attorney General's response to the questions I've raised.

Thank you.

The Speaker: Thank you, honourable Member.

Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

The Standing Orders say the Member should stand in his or her place.

The Member for Newlands.

Hon. G. Wayne Panton, Elected Member for Newlands: Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise to make a contribution in respect of the Firearms (Amendment) Bill, 2024. I'd say that, in general, I am supportive of the Bill. It deals with issues that relate directly to, as other Members have said, our people's perception of safety and I don't think that we have a more solemn obligation than to ensure that we pass laws for the safety, peace and good order of our country. We owe it to our people.

Mr. Speaker, over a number of years we have made amendments to this legislation. As the last Member contributing noted, technology changes, our society changes, our population increases and, unfortunately, opportunity and attitudes change.

We have to respond to ensure that our people are as safe as possible; that they can live their lives, have their families and go out without undue fear. Unfortunately, we have heard too much evidence that people do, in fact, have those concerns— and rightly so, because we have had too many instances of firearm use that impact the public. Some, clearly, in scenarios where there are gang members who are going after each other but, once a bullet is fired, it stops somewhere, and where it stops may well be unintended, and that might be in the body of an innocent person or an innocent child.

We have to try to control this issue. It is not an issue unique to us. Many countries in the Caribbean are facing similar challenges. We have a neighbour in North America in which many of the firearms manufacturers are located. They have constitutional provisions which provide immense freedom to their citizens. They also have major consequences from those freedoms. Almost every week we hear of shootings. God forbid, it ends up being that way here.

Mr. Speaker, further amendments as proposed in the nature of this Bill are necessary to give our people a sense that we are trying to do something to ensure their safety, that we are trying to do something to give them confidence that they can have their being and live their lives without undue fear.

Prior to the shooting at the Ed Bush Field, Mr. Speaker, there were a number of other incidents that led to the Government issuing a statement that the Firearms Law was going to be reviewed with a view to making amendments— to increasing the sentencing.

Mr. Speaker, I wish that we could all say that such is going to guarantee the outcome; that these issues will go away, and that our society will be safer. I think that is only a part of the solution, and it is very regrettable that it has to be a part of the solution. We have to find a way to reach those elements of our society, and in particular, some of our young people who seem to be engaged in some of this activity. We have to, as a society, as a country, we've got to have reckoning with these issues and confront them, and talk with our young people.

I think, Mr. Speaker that sometimes it seems that there is not a real understanding of what death is. How certain it is, how final it is. Many of these young people, when you talk to them afterwards, who are involved in these things and they're prosecuted, they express regret, remorse, they cry... but the time to do anything about it has passed. Those consequences are forever ingrained in time.

We need to spend much of our time engaging with our young people, finding other ways to constructively facilitate their energies and their time and their interest, rather than having to find ways to put people in prison for longer periods of time. Unfortunately, at this point, this has to be a part of the solution; but if we can spend the time with them, if we can engage them, we can help them avoid these types of consequences.

Mr. Speaker, the Bill has a number of provisions which gave rise to concerns. I think ordinary citizens who had the opportunity to have a look at it, probably had some concerns. People who are law-abiding gun owners would have had some concerns as well. Those of us who want to make sure that it is as effective as possible in addressing many of the issues that we have observed from what has transpired in the United States, for example, want to see us take the necessary actions to prevent the types of scenarios that they have had there, occurring here as well.

Things like high-capacity magazines, Mr. Speaker, and bump stocks that achieve rapid fire of otherwise single fire weapons. Technology has unfortunately enabled the ghost guns that the Honourable Attorney General spoke to, which are contained in the Bill. Also, the 80-percenter weapons that don't have to have specific information on them to identify them, but can be finished and end up being a lethal weapon that we can't track, that people can abuse.

All of these provisions are important. It is also important that the Honourable Attorney General has indicated that there are amendments proposed which will address some of the concerns that have been reflected by both the public and Members of this honourable Parliament as well.

I join with the Deputy Leader of the Opposition in thanking the Honourable Attorney General and his staff for taking the time to go through and discuss many of these issues, which I think has given us much confidence and comfort that we are on a path to putting in place provisions which help to minimise the issues and opportunities for bad actors to harm innocent people in this country, but Mr. Speaker, this alone is only a part of the solution.

We have got to be engaging with our young people. We have got to be addressing the issues of gangs and their motivations and why they are involved in this sort of activity. Getting them to understand the consequences. I don't think any of us in this House would be happy at all to see—I saw an article in the one of the media houses today talking about the consequences of being found in possession of illegal

firearms without a licence. None of us want to see that for our young people, and certainly none of us want to see anybody harmed by the abuse of those.

Mr. Speaker, we need to support this Bill. We need to put these provisions in place, but we also need to do what we have to do in order to address the core issues. Without that, this is a band aid.

Mr. Speaker, I thank you very much.

The Speaker: Thank you, Honourable Member.

We have now reached the hour of interruption. I am in your hands as to whether or not we continue beyond the hour of interruption. If not, Honourable Acting Premier, I would entertain a Motion for the adjournment of the House.

ADJOURNMENT

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

In particular, because of the importance of this legislation and the committee room discussion that the Deputy Leader of the Opposition referred to, an adjournment at this moment would provide for the Attorney General to contend overnight with a couple of issues in relation to the Bill to avoid unintended consequences.

For those reasons, I would move, pursuant to Standing Order 10 that we adjourn for the evening and resume proceedings tomorrow at 10 a.m.

The Speaker: Thank you. The question is that this House do now adjourn until 10 a.m. tomorrow morning.

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

AYES.

The Speaker: The Ayes have it.

The House stands adjourned until 10 a.m. tomorrow morning.

At 4.32 p.m. the House stood adjourned until 10 a.m. Tuesday, 23rd July, 2024.