



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY
OFFICIAL HANSARD REPORT
2019/2020 SESSION**

**Monday
28 October 2019
(Pages 1-57)**

**Hon. W. McKeeva Bush, OBE, JP, MLA
Speaker**

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PRESENT WERE:

SPEAKER

Hon. W. McKeeva Bush, OBE, JP, MLA
Speaker of the Cayman Islands Legislative Assembly

MINISTERS OF THE CABINET

Hon. Alden McLaughlin, MBE, JP, MLA	<i>Premier</i> , Minister of Employment, Border Control, Community Affairs, International Trade, Investment; Aviation and Maritime Affairs
Hon. Moses I. Kirkconnell, JP, MLA	<i>Deputy Premier</i> , Minister of District Administration, Tourism and Transport
Hon. Dwayne S. Seymour, JP, MLA	Minister of Health, Environment, Culture and Housing
Hon. Roy M. McTaggart, JP, MLA	Minister of Finance and Economic Development
Hon. Joseph X. Hew, JP, MLA	Minister of Commerce, Planning and Infrastructure
Hon. Tara A. Rivers, JP, MLA	Minister of Financial Services and Home Affairs

EX OFFICIO MEMBERS OF THE CABINET

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

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Ms. Barbara E. Conolly, MLA	<i>Deputy Speaker</i> , Elected Member for George Town South
Capt. A. Eugene Ebanks, JP, MLA	Elected Member for West Bay Central
Mr. Austin O. Harris, MLA	Elected Member for Prospect
Mr. David C. Wight, MLA	Elected Member for George Town West

OPPOSITION MEMBERS

INDEPENDENT MEMBERS

Hon. V. Arden McLean, JP, MLA	<i>Leader of the Opposition</i> - Elected Member for East End
Mr. Anthony S. Eden, OBE, MLA	Elected Member for Savannah
Mr. Alva. H. Suckoo, MLA	<i>Deputy Leader of the Opposition</i> - Elected Member for Newlands
Mr. Christopher S. Saunders, MLA	Elected Member for Bodden Town West
Mr. Bernie A Bush, MLA	Elected Member for West Bay North
Mr. D. Ezzard Miller, MLA	Elected Member for North Side
Mr. Kenneth V. Bryan, MLA	Elected Member for George Town Central

APOLOGIES

Hon. Juliana Y. O'Connor-Connolly JP, MLA	Minister of Education, Youth, Sports, Agriculture and Lands
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**OFFICIAL HANSARD REPORT
FIRST MEETING 2019/2020 SESSION
MONDAY
28 OCTOBER 2019
10:33AM
First Sitting**

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

The Speaker: Good morning.

I will invite the Honourable Premier to say prayers this morning.

PRAYERS

The Premier, Hon. Alden McLaughlin, Minister of Employment, Border Control, Community Affairs International Trade, Investment; Aviation and Maritime Affairs, Elected Member for Red Bay: Thank you, Mr. Speaker. Good morning

Let us pray.

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

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

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

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

The Speaker: Please be seated.
Proceedings are resumed.

PROCLAMATION

The Clerk: PROCLAMATION NO. 2 OF 2019 BY HIS EXCELLENCY MARTIN ROPER, OFFICER OF THE MOST EXCELLENT ORDER OF THE BRITISH EMPIRE, GOVERNOR OF THE CAYMAN ISLANDS.

WHEREAS section 83(1) of the Constitution of the Cayman Islands provides that the sessions of the Legislative Assembly of the Cayman Islands shall be held at such places and begin at such times as the Governor may from time to time by proclamation appoint.

NOW THEREFORE, I, MARTIN ROPER, OBE, Governor of the Cayman Islands by virtue of the powers conferred upon me by section 83(1) of the Constitution of the Cayman Islands, HEREBY PROCLAIM that a session of the Legislative Assembly of the Cayman Islands shall begin and be held at the Legislative Assembly building in George Town, in the Island of Grand Cayman, at 10:00 a.m. on the twenty-eighth day of October 2019, and shall thereafter continue until such date and time as the Legislative Assembly may adjourn thereto.

GIVEN UNDER MY HAND AND THE PUBLIC SEAL OF THE CAYMAN ISLANDS AT GEORGE TOWN, IN THE ISLAND OF GRAND CAYMAN, THIS NINTH DAY OF OCTOBER IN THE YEAR OF OUR LORD TWO THOUSAND AND NINETEEN IN THE SIXTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: We will come back to that point later this afternoon as Mrs. McField-Nixon becomes the Acting Honourable Deputy Governor.

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

The Speaker: This Honourable Legislative Assembly is now in session.

I have given permission, I think, to the *Cayman Compass* for photographs; all others need permission and have not sought permission. The *Compass* wrote to me, as Speaker, and I have allowed the *Compass*, so no cell phones with cameras, please.

Madam Clerk.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OR REPORTS

The Speaker: None.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: None.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: None.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

FIRST READING

REFERENDUM (PEOPLE-INITIATED REFERENDUM REGARDING THE PORT) BILL, 2019

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

SECOND READING

REFERENDUM (PEOPLE-INITIATED REFERENDUM REGARDING THE PORT) BILL, 2019

The Speaker: The Honourable Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, I beg to move the Second Reading of a Bill entitled A Bill for a Law to provide for the holding of a People-Initiated Referendum on the issue of whether the Islands should continue to move forward with the building of the cruise berthing and enhanced cargo port facility; and for incidental and connected purposes.

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

The Premier, Hon. Alden McLaughlin: Thank you, Mr. Speaker.

Mr. Speaker, I just moved the Second Reading of the Bill using the long title. The short title of the Bill is the "**Referendum (People-Initiated Referendum Regarding the Port) Bill, 2019**", and our purpose here today is to pass that Bill and create the legislation necessary to facilitate the holding of Cayman's first people-initiated referendum.

Mr. Speaker, before I talk about the legislation itself, I hope the House will allow me to reflect just a little on the history and the process that has brought us to this point. Mr. Speaker, I know you do not need to be reminded that in your Party's 2013 Manifesto, you and your colleagues campaigned on providing the country with a cruise and enhanced cargo port facility; and again, in 2017, your Party's Manifesto had as part of its platform finding a solution for the issues around cargo and cruise passengers.

Mr. Speaker, in our 2013 Manifesto the Progressives campaigned on providing cruise berthing, and during the last term we began the work to provide the country with a much-needed cruise berthing and enhanced cargo port. In 2017, our Manifesto promised that we would continue the projects we started the previous term, including the cruise berthing and cargo port project so, Mr. Speaker, for at least the past two election cycles, the majority of us who make up the Unity Government supported a cruise berthing and cargo improvement port project.

I pause here to point out that in 2013, three Members now sitting opposite were part of the Progressives' slate of candidates. They were the Member for Savannah, the Member for Newlands and the Member for George Town Central—indeed, Mr. Speaker, their

smiling faces appear on the cover of the Progressives 2013 Manifesto—

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: —which, with your permission, Mr. Speaker, I would now like to lay on the Table of this honourable House.

[Progressives 2013 Manifesto laid on the Table of the Legislative Assembly]

The Premier, Hon. Alden McLaughlin: Mr. Speaker, for completeness, I will also lay on the Table a copy of the Progressives 2017 Manifesto.

[Progressives 2017 Manifesto laid on the Table of the Legislative Assembly]

The Premier, Hon. Alden McLaughlin: Mr. Speaker, everyone in this House, and indeed the wider public, are well aware that a cruise berthing facility has been talked about for more than 20 years. Certainly, every Government elected since 2000 has had promises of a cruise port in their election manifesto, or as part of their delivery plans.

When the last government that I led took Office in 2013, we set out on a complex process we knew was necessary to get the port project to the finish line. Two years later, in September 2015, at a Chamber of Commerce luncheon, I advised the country that whilst the Cabinet would be making a formal decision in the coming weeks, I was able to state then, that the Government had done the work necessary, and carefully considered the information before us and was convinced on the merits of building a cruise berthing and enhanced cargo port.

Mr. Speaker, you will note that as early as 2015, I announced that this was a project with two components: cruise berthing facilities and an enhanced cargo port. On the 28th October 2015, four years ago to the day, Mr. Speaker, the Deputy Premier and I announced to the country at a press conference that the Cabinet had considered the various professional reports on the project and had agreed to move the cruise berthing and enhanced cargo port project forward. This included, progressing the work to devise a workable financing model.

Throughout, we have followed a rigorous process that included independent, legal and accounting experts, engaged the major cruise lines and satisfied the United Kingdom Government as well as local Government officials. Mr. Speaker, this is not some Johnny-come-lately project that we have just pulled out of our back pocket. This is the result of hard work by the best professionals available and that rigorous process has been carried through to the selection of the preferred bidder, Verdant Isle, and the extraordinary professionals that they have working with them. That is in brief,

Mr. Speaker, the history of the project; but despite all that we have done, there are a number of people who do not agree with the project, and have been able to obtain the required number of signatures to trigger a People Initiated Referendum to decide the future of the cruise and cargo port. That brings us to the process that we are here today to debate.

A People-Initiated Referendum is provided for under section 70 of the Cayman Islands Constitution Order, 2000. That provision is not there by accident, Mr. Speaker. I am sure you will recall that I, and my Progressive colleagues, campaigned hard for its inclusion and I believe it is an important democratic safeguard within our governance arrangements. Creating a power that allows voters to call a referendum in this way, means that no government is able to exercise unfettered authority without any check between our four-yearly elections. This is particularly important, should voters become concerned that a government is acting recklessly or carrying out major initiatives that are controversial and were not part of its election platform.

That said, Mr. Speaker, the referendum power cannot be allowed to be a vehicle for special interests to seek to override the results of free and fair elections, therefore, the power to trigger and to pass a binding People Initiated Referendum is rightly subject to a high threshold. If government's ability to carry on its business is subject to check by the will of the people, then we must be sure that it is truly the will of the people that is being demonstrated.

The threshold that petitions for a People-initiated Referendum have to reach in Cayman is 25 per cent of registered electors and that is a high bar indeed, as it should be. This is why the verification process was necessary to confirm beyond doubt that in this case, the required threshold had been reached. Once again in this House, Mr. Speaker, I would like to thank the Supervisor of Elections and his staff for the efficient and effective way in which they went about verifying the necessary signatures and determining that, indeed, they had been collected from registered voters.

I had no doubt, Mr. Speaker, that it could be done, despite the accusations and fear mongering of the opponents of the port project, but they were proven wrong. The process was done in a timely manner and the Government moved swiftly to set the Referendum question and date, as we promised the country that we would. Rather ironically, the pace at which we moved with this is now a major cause for complaint.

Mr. Speaker, I recognise that the collection of over 5,000 signatures on any petition is a product of much hard work and perseverance by a great many people. As a politician, I admire and welcome good spirited political activism; in the long run, our democracy is stronger if more people engage in the political process. Despite reports to the contrary, I have no argument whatsoever with the principle of utilising the Referendum process to challenge the government's

plans, however, I think we can all agree that this Referendum process has not been without its challenges for all sides involved, so I believe that, once this experience is behind us, this House should return to the issue of how the People-initiated Referendum provision in the Constitution should operate— but those are practical issues, not points of principle.

For those who falsely claimed that the government and I deliberately omitted passing a Referendum Law, I can tell this House and everyone outside of it, that I joined the voices who said they wished that one was in place, for if it was, Mr. Speaker, a Referendum Law would not have allowed any group to take a year or more to gather the signatures required for a referendum.

All of the referendum laws that we have looked at have pegged the period; none exceeding six months, usually around three months. Nor would it have allowed a referendum to be called against an important national project that was part of a government's election campaign and had been ongoing for more than five years and where millions of dollars from the public purse had already been spent, particularly when nothing fundamental has changed during the course of the project. My point shortly, Mr. Speaker, is that if we did have an overarching Referendum Law in place, it is highly unlikely that we would be here having this debate today.

Interestingly, Mr. Speaker, there is no requirement in the Constitution, or elsewhere, for any campaign behind a petition for a referendum to be based on truth, as it is in many countries; nor is there any requirement to keep vested interests, including commercial interests, from being involved in such a campaign as is the case in many countries— nor is there anything to prevent the government's opponents from using a petition as a vehicle for the wider opposition to the government's agenda.

Certainly, during their campaign, the leadership of the Cruise Port Referendum (CPR) group, has utilised all manner of scare tactics and misinformation to persuade people to sign the petition for a referendum. I am not guessing about this, Mr. Speaker, I have overheard some of the conversations. Indeed, Mr. Speaker, in my view, the leadership was downright disingenuous when they told the public that their goal was not to stop the port, rather, they merely wanted more information on the project.

Their real aim, as everyone in the House knows full well, was to get enough people to sign their petition by fair means or foul, with the hope to derail the project, and they were ably assisted along the way by an online blog and a radio talk-show. Now that they have obtained those signatures, we can see their true stripes emerge, as they now actively campaign to stop the port project even as we are finally in a position to provide the information they claim they need. They understood that a people-initiated referendum is a numbers game, and in this case the campaign had done what it thought it needed to do to achieve the numbers

required for one to be called— and the Government and I accept that, Mr. Speaker.

In response, and acting in good faith, the Government has therefore moved as quickly as possible, to bring forward the Bill before the House today, but the Government acting in good faith should be no surprise, Mr. Speaker. We have, at all times, ensured that we have not only acted legally, but in good faith.

The country will recall, Mr. Speaker, that when we announced the preferred bidder back in July, I gave an undertaking, on behalf of the Government, that we would not move to finalise a contract with Verdant Isle until the referendum process concluded.

Even as we head to the requested referendum, Mr. Speaker, the leadership of the CPR Group has moved from one complaint to another, to seek to either delay the referendum or have the Government change the rules in the Constitution, no less, and in the Election Law that governs the process for a binding people-initiated referendum, so as to improve their position for success and thus, derail the port project.

Mr. Speaker, this morning the Compass published a letter from an individual who signed as Francis Ebanks. With your permission, sir, I would like to read that letter at this point, for I find it very instructive.

The Speaker: Can I have a copy?

The Premier, Hon. Alden McLaughlin: Thank you, sir.

Mr. Speaker, the letter reads:

“Permit me a few lines in your paper to share my views on the debate about the referendum on the port.

“I’ve heard campaigners opposed to the project, those who clamoured to let the public decide the fate of the project, now complaining that government has respected the wishes of the people and set the referendum date.

“First, they complained that it was taking too long to verify the signatures. They wanted this process rushed through.

“They then complained that government might drag their feet on setting a date. Referendum Day has been set for the earliest government has found feasible, especially with having to return to the Legislative Assembly to formalise the process. Now, these campaigners, along with opportunistic Opposition MLAs, are saying it is set for the worst possible date.

“They previously complained about dredging and government took that into consideration and revised the plans to ensure there would be as little dredging as possible. Yet, their complaining continues.

“I am puzzled why many of these people are opposed to a project that will bring considerable economic benefits to Cayman. They call themselves campaigners, but I think they’re more aptly called

complainers because every step along the way, they have found something to complain about.

“Perhaps it is the public who should be complaining about the undue concern these campaigners caused by claiming China Harbour had the deal at a cost of \$300 million-\$400 million. The country was in near uproar. When the truth was announced, Verdant Isle turned out to be building the dock and cargo port for \$200 million.

“Wild campaign claims and propaganda will not fool me anymore. My source for information will now be the government. I cannot wait for the referendum to be over so we can move forward and have a modern port that will keep food on the table of countless working-class Caymanian families. However, I would not be surprised if on the 20th December they find something new to complain, oops, I mean campaign, about.” Mr. Speaker that, I believe, is a broadly-held view.

Mr. Speaker, with all their efforts at delaying this process and derailing this project CPR, Mr. Speaker, will not succeed, even using their most recent tactic of obtaining a legal opinion on a variety of issues to do with the referendum. I will repeat here what I told the media over the weekend: **“The Government has also taken legal advice on the conduct of this matter from our customary noted Constitutional Council in London, as well as our most able Attorney General, and we are more than satisfied that the process being followed is fair, constitutional and proper in every respect.”**

I will say again, that what is becoming increasingly clear, however, is that the CPR leadership and their financial backers are not really interested in holding a referendum—presumably, because they think they will lose; but are simply intent on derailing the cruise port and cargo port project by any means possible, including frustrating it by delay. Mr. Speaker, the government will not allow such to occur.

If the CPR leadership and their financial backers, and perhaps the real leaders of the CPR campaign, really believe they have a legitimate challenge to the process being followed by the government, they should immediately apply to the Court for leave for judicial review and have the matter adjudicated by the Court rather than debated in the media.

To further demonstrate the real purpose of the port opponents, Mr. Speaker, I note that even before the petition had been received by the Cabinet, there was public speculation by the opponents to the port that the government would do all in its power to avoid the public vote. They said we would ignore the petition and declare that the project did not rise to the level of being an issue of national importance as required by section 70 of the Constitution. Yet again, this was proven untrue.

Indeed, Mr. Speaker, the government has always maintained that the project to deliver new cruise-

berthing facilities and enhanced cargo facilities is essential for Cayman’s future; the project is, and always has been, an issue of national importance and that is confirmed in section 4(1) of the Bill before the House today.

Section 4(2) goes on to set out the question that will be put to the people in the Referendum; again, prior to the publication of the question, there were all sorts of conspiracy theories being circulated that the government would introduce a biased question. At no point, Mr. Speaker, was there ever any discussion within government to create a biased question—quite the opposite. As I said when the question was published, we have bent over backwards to ensure that the question is as fairly worded as it can be. We have drawn as far as we could from the intent of the petition and the campaign behind it, and we have developed the wording in accordance with very clear principles.

As a result, the wording of the question, as far as possible, accords with the position of the Council of Europe’s Commission for Democracy through Law in its Code of Good Practice on Referendums last revised in October, 2018. The Code has been accepted by forty-seven European democracies and thus provided an appropriate yardstick by which Cabinet could consider the question.

Mr. Speaker, from its inception, this project has been envisioned, planned, designed, financed and put forward in the Request for Proposals (RFP) as an integrated cruise berthing and enhanced cargo port facility. That cannot be factually disputed. A vote for or against one part of the project, is a vote for or against the other; but, again, rather than accepting what is fact, the CPR leadership is misleading the public into believing that the projects are separate and so, they are objecting to the inclusion of the planned enhancement of the Cargo Port Facility within the question.

Members of the CPR group and some Members of the Opposition argued that the petition was about cruise berthing not the cargo enhancements, and therefore, the referendum question should only relate to cruise berthing. Let me then deal with that objection.

There are reasons of principle why the objection cannot stand on reasons of practicality. The principle is this: Just as the Government has striven to ensure the question is fair to opponents of the port development, it must also be fair to the project supporters, this has always been a single project in which the two elements will be taken forward, together.

I am aware that some Caymanians are convinced of the need for enhanced cargo facilities and see the cruise berths as necessary to fund those enhancements. Their support for cruise berthing is therefore dependent upon and cannot be separated from the cargo elements.

As I have said often, since its inception, this has been an integrated project and the procurement was begun and proceeded on the basis that the successful bidder would deliver both the cruise berthing

hat the tourism industry needs and the cargo port enhancements that the whole country needs. The two things cannot now be disentangled; they are indivisible.

This leads us to the practical problems: while I disagree, as I will detail later, our opponents believe that the Government is not putting enough information before the people to allow them to decide this issue. May I ask, rhetorically, Mr. Speaker: What information could we put forward solely on cruise berthing? It is an integrated project in every respect, including the financing. Just as an obvious example, there is no disaggregated financing model to show how the cost would be met and there is no design we can show people of just a cruise facility. In any case, that does not make sense, as I don't think anyone is advocating that the cruise berthing should go ahead without any cargo enhancement.

Some people believe that the cargo facility should be moved, but that is not an available option either; nor— if the question just dealt with cruise berthing— could we answer people's very obvious questions about how the necessary cargo enhancements will proceed without the cruise berthing going ahead. This is a single integrated project, and always has been. It is disingenuous in the extreme to suggest otherwise at this stage so, Mr. Speaker, it is entirely appropriate that the referendum question includes both the cruise and cargo elements. The voters, in deciding the fate of the project, must know what is at stake when their vote is cast.

The referendum question set out in Clause 4(2) of the Bill, conforms to the set of common sense and natural justice principles that Cabinet agreed to test it against. The question is clear and simple:

- It gets to the point of the issue at hand;
- It is unambiguous and infinitive, including in terms of the consequences of the vote; and
- It is neutral.

Those who criticise should bear in mind that neutrality means being fair to both sides.

The other issue dealt with in Clause 4 of the Bill is the restatement of the requirement set out in the Constitution that the votes of more than 50 per cent of registered electors are needed for the referendum result to be binding on the Government. Perhaps I should not be surprised, but the Government has come under fire even for this! So, at the risk of repeating myself, the requirement to achieve over 50 per cent of electors for the result to be binding mirrors Section 70(3) of the Constitution. It has not simply been dreamt up by the Government.

Those who accept the constitutional reality sometime go on to argue that we should amend the Constitution to drop that provision and make the Referendum a straight majority vote. Leave aside:

1. The intent behind the constitutional provision;

2. The need for due process to amend the constitution;
3. That it is not within our own power to amend the Constitution.

Leave all that aside. Instead, just imagine changing the rules right as the Referendum is being legislated for. Suppose the government brought forward a change to increase the threshold to 60 or 70 per cent of the electorate? There would be howls of protest. Our opponents would rightly cry foul. Mr. Speaker, everyone knew the rules when this process began; there is no legitimacy in changing those rules now simply because CPR wishes to have some advantage.

What is even more bizarre, is the charge that I am somehow using this provision to thwart the requirements for a secret ballot and thereby intimidating civil servants and others. The logic, if, indeed, you can call it that, goes as follows: I have supposedly told voters that if they support the cruise berthing and cargo project, they should simply stay at home. This means, again following their logic, that only "No" voters would turn out at the polls; the government would therefore know who voted and that they voted no and, by extension, if civil servants turned out to vote no, they would be identified as such and subject to victimisation. That is the charge that has been laid, Mr. Speaker.

This is an argument based on a false premise, its tortured reasoning is nonsensical, and it reaches a totally invalid conclusion. I would have thought better even of the self-appointed brains trust that concocted this nonsense live on a radio talk-show; but Mr. Speaker, to hear this paranoia repeated on the radio by some of my colleagues who sit opposite is even more remarkable.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: First, Mr. Speaker, I have not told supporters to stay away from the polls. What I have done is explain to the country the consequences of staying at home if that is what they choose to do. The onus to stop the country moving forward with building the cruise berthing and enhanced cargo facilities we need rests with those who have brought the Referendum. I do not need to meet the 50% plus 1 target to make the Referendum binding.

This is Cayman's first People-initiated Referendum, and all involved have a duty to explain to the public how it works. No doubt if I had not talked about it, I would have been accused of trying to hide this from voters. Again, so we are clear, I welcome support at the polls from those who want to come out and show their backing for this much-needed development. Even if I had advised people to stay at home, why do these particular conspiracy theorists imagine that everyone will simply obey my command?

It might, on occasion, Mr. Speaker, be tempting to wish that I could simply utter a few words and everybody would fall in line, but that is not how it is here in the real world. Whatever I say, many, many Caymanians will want to lend their active support to this project. They are as tired as I am of the disinformation being peddled by the opponents of the port, and they look forward to the opportunity to register their wish to secure the future of our cruise-tourism industry and get access to more and cheaper cargo. Therefore, whatever I say, there will be a sizeable "Yes" vote on the 19th December and, Mr. Speaker, for further assurance, the secrecy of ballots will be maintained.

Finally, even if the premise was not false, and the reasoning was not as flawed as it is, neither I nor anyone else in the government has any interest in victimising any civil servant, or indeed anyone else who votes "No" at the referendum. There is absolutely no evidence to the contrary. We hear time and again, during the referendum campaign, from the CPR in particular, that any civil servants who signed the petition risk victimisation but, Mr. Speaker, curiously, we have not even had one complaint from anyone who has been so victimised, nor will we. Civil servants are perfectly free to vote their conscience on the referendum without any fear of any action by any Government that I lead.

Next, Mr. Speaker, I want to address an issue that is not found on the face of the Bill itself, namely, the date chosen for the referendum. The House would be aware that earlier this month the Government proposed 19th of December as the referendum date. This has been the subject of considerable conjecture since it was announced. That is, despite the fact that I have said for some time, that if the referendum petition reached the required threshold, the Government would then move to call the referendum as quickly as possible.

This, Mr. Speaker, was in response to suggestions from the CPR that the Government would seek to avoid or delay the vote. Whatever date is chosen, some people may be away. That is why there are arrangements in place which allow every registered elector to cast their vote by other means if they cannot do so in person. Anyone who wants to vote can do so whatever date is chosen. There is no reason to delay.

The argument being made against the State is a somewhat strange one. Throughout the year, or more that it took to gather signatures for the referendum, we constantly heard that there was deep seated opposition to this project and that voters were demanding to have their say. At every turn, campaigners expressed their confidence that if only they were given the opportunity, voters would come out in droves to vote against the port and that they would do so in numbers sufficient to reach the 50 per cent plus one threshold for the result to be binding.

Now, that we have reached this point, Mr. Speaker, there is a new argument, and it goes this way, Mr. Speaker: so weak is the level of opposition to the

port that people will be put-off voting, simply because the vote is happening six days before Christmas. Which is it?! If the No campaign is confident in its case, why do they believe that the date will make a difference? For in reality, there is no impediment to voting, whatever date is chosen. Anyone who is not able to vote in person can apply for a postal ballot, as is always the case in Cayman.

If any vote is likely to be suppressed by the choice of the date, it is the "Yes" vote. I understand that whatever I say, some voters who support the port may not bother to vote, especially if they are off Island, for example. They may feel they can do so safely because of the 50 per cent plus one threshold. I accept, therefore, Mr. Speaker, that the final result is likely to understate the real level of support for the port development project.

While I am on the subject, Mr. Speaker, the same applies to arguments about the sale of alcohol at licenced premises on the day of the vote. We have heard arguments that again, this will suppress the "No" vote. Do our opponents have so little confidence in their supporters that they think that faced with the choice of the day, they will decide to sit in a bar, rather than to turn out and vote down a Government project that we are told, they passionately believe will do harm to Cayman's long-term interest?

Mr. Speaker, the reality is that many people and many offices have booked Christmas parties and luncheons for that day and we do not want to disrupt those arrangements nor indeed stop tourists spending their money here in the busy pre-Christmas period. That is why the bars and restaurants will remain open. It is not some ploy to distract weak-willed "No" voters as is suggested.

Our opponents really should have more confidence in Caymanians, truly, Mr. Speaker. If they really believe the arguments put forward against the port, the people will come out and vote no; either opponents lack that confidence in their supporters or they lack confidence in their own case, I am tempted to think it is the latter and that all those arguments about the date are simply a smoke-screen to excuse their eventual failure to get the numbers they need.

There is one other consequence of the choice of the date that has also been controversial. Section 5 of the Bill before this House in and of itself is uncontroversial. It simply states that those entitled to vote in the Referendum will be those registered to vote on the date of the Referendum. In this case, that means those registered to vote on 19th December will be entitled to vote and, in practice, that in turn means that it will be those electors on the official register as at 1st October, 2019. The suggestion is, I believe, that the legislation should be changed to allow the 1st of January register to be brought in two weeks early and to allow some 220 persons to vote who are on that revised register which is not yet the official register.

Again, Mr. Speaker, I find this most extraordinary. Why should the rules be changed? The argument is that the government is trying to exclude these new voters because we fear they will vote no. If that were true, it must conversely mean that those opposed to the port are seeking to get the rule changed because it would advantage them. Once again, imagine if the government were to do that. Suppose we had been on a sign-up to vote campaign to get supporters of the port to register and we are now looking forward to bring forward the use of that revised register? There would be howls of protest—“The government is seeking an advantage”.

Mr. Speaker, the fact is that on the date of any given election or Referendum we have to use the electoral register as at that date. If we do anything else, it will constitute a form of gerrymandering; as is always the case, if you draw a line as at a date, some people will find themselves excluded from that line. That is just the way it is.

Mr. Speaker, I wonder, if we were to put the Referendum date in February, if there would then be a similar campaign to try and get included on the 1st of January list persons who have registered but would not be confirmed until the new list is put out on the 1st of April. There is always a line, Mr. Speaker, and whatever deadline you draw, there are going to be some people who do not meet the requirements, because of the time they registered, to get on the particular list.

Mr. Speaker, the government has nothing to fear, or indeed nothing to gain, from having 200 or so more, or fewer, voters eligible to vote. We do not believe our opponents have sufficient support to reach the 50 per cent plus 1 threshold with or without these votes. We are not excluding them for some Machiavellian purpose, rather, they are not eligible under the rules that we consistently apply in the Cayman Islands. Seeking to change the law for the advantage of one side or another, be that real or perceived, would be the real anti-democratic thing to do.

Mr. Speaker, just as I come to believe that I have heard all of the complaints from the opponents to the port, there is yet another controversy that they are creating. The Bill, Mr. Speaker, calls for the ballot papers from all the electoral districts to be taken to a central location and mixed together for the purpose of counting. In other words, Mr. Speaker, the counter-votes would be considered national vote and not an electoral district vote. The opponents, including some in the Official Opposition, cry foul because they say they will not know how their constituents voted.

Mr. Speaker, this is not some opinion poll being carried out for the convenience of the Member for Bodden Town West or the Member for George Town Central, to provide data for later use or to help them in their next election campaign. This exercise is a referendum on a matter of national importance and it should be treated as such. The referendum is where a national decision will be made, and what is important is the view

of the country as whole, not individual electoral districts.

In 2009, when we voted in our very first referendum as to whether to support the 2009 Constitution Order, that count was done in the same way. The ballots were mixed, and a single count was done to determine the outcome. That was done efficiently, even though the Elections Office was also carrying out the count for the general elections that were held the same day as the referendum. That was a national count for a matter of national importance. This referendum, too, Mr. Speaker is one of national importance and will have a national count.

In short, Mr. Speaker, the Government has put before the House a Bill that deals in a straight-forward way with the need to get on and meet the demands placed upon us by 25 per cent of registered electors that we hold a referendum. The question to be used conforms to all good practice, and is fair to both sides. It recognises that there is only one project that can reasonably be subject to a popular vote— and that is to move forward with building the country's cruise and cargo port improvements together as has always been envisaged.

We have chosen a date to expedite the speedy resolution of this referendum issue that has been ongoing for well over a year and, we have determined that the count should be a national count in line with the nature of the referendum itself. The rest of the arrangements under the Bill are consistent with the normal democratic arrangements of the Cayman Islands.

At this point, I would notify you, Mr. Speaker, and the rest of the House that there will be some tidying up amendments that we need to consider at Committee stage. These will be introduced in due course; however, we have heard opponents of the port arguing for more substantive amendments to the Bill— we may hear those arguments repeated from the Opposition benches today, Mr. Speaker. Those arguments amount to an attempt to rewrite the question on what they believe is their own interest or to alter the normal arrangements for voting in Cayman, presumably for the same reason.

We have those standing arrangements about how we conduct public votes for a reason, and that is precisely to stop the kind of manipulation of who is or who is not eligible to vote that our opponents are proposing. This is Cayman's first people-initiated referendum and it must be held in a fair and democratic manner. This Bill will achieve that objective; however, it is not just for the sake of our democracy that this is important. The process and conduct of the referendum are significant concerns, but it is the underlying issue to be decided that the nation should now focus upon.

On 19th December, Caymanians are being asked to decide on the future direction that this country will take. Opponents of the port project seek to portray this as a simple choice. At heart, their argument is that the development of a new cruise berthing facility and

enhanced cargo provision will cause irreparable environmental damage. There are subsequent issues, but this is the matter of principle at stake for the port's opponents. I have said in this House before that this is a principled position, which I can understand and which I respect. It is not though a position that any responsible government can take, all things are not black or white.

Like most Caymanians, we in this government believe that in considering the port project—as in considering other forms of development—there is a balance to be struck between economic and environmental issues. There is no right answer to how to strike that balance, no formula that yields an unambiguous solution. In the end, it is a matter of weighing the evidence and making a judgement.

In initiating this project, that is what the previous administration that I led, did. We assembled the business case and carried out an environmental impact assessment in order to inform us, but in the end, it was our political judgment that the economic benefits were so significant that they outweighed the potential environmental impact of the project. What the referendum is doing now, is asking Caymanians to repeat that process and to exercise their own judgment. Just like the government has done, voters need to weigh the evidence and make their decision.

Again, our opponents have tried to muddy the waters here. We hear repeated claims that either government is hiding things or that it is seeking to mislead people. The claim is that there is not enough information for people to make an informed decision. In reality, there is more than enough information available. What I do accept is that some of it is relatively inaccessible and that it is spread across too many different documents.

For that reason, the government will be producing an information booklet that will bring together into one place all the key information about this project. We will be making the booklets as widely available as we can in the run-up to the referendum. To be clear, the booklet will be a presentation of the government's case. I do not claim it will seek to present our opponents' case for them, nor should it. This is a referendum about the delivery of one of this government's key policy objectives.

Explaining government policy is one of the responsibilities of government and promoting and defending a project we believe is necessary for the future well-being and prosperity of the Cayman Islands is something for which we make no apology; however, setting out our case does not mean that we will in any way be untruthful. We are happy to set out the facts and to explain why we believe the project should move forward based on those facts. The case after all, for moving forward with building the cruise berthing and enhanced cargo facility is overwhelming.

Consider first the economic case. Looking ahead, there is no status quo. Either Cayman's cruise tourism industry continues to grow with the benefit of

the new berthing facilities or we face the very real risk of its gradual but inexorable decline. Either we protect and grow the jobs and businesses of Caymanians who depend on cruise visitors, or we face those jobs being lost and those businesses failing.

The approach we have adopted in moving forward the port project not only guarantees that the new berthing facilities get built. It guarantees that they get used not just by the two major companies who are partners in the project, but by other cruise lines as well.

Put simply, without a throughput of passengers, the Verdant Isle partners, including the two cruise lines, do not get their investment back. It is in their interests to bring their passengers to Cayman and to maximise the use of the berths throughout the week and in low season as well as high. Without the new facilities, Cayman will increasingly be at the mercy of market forces that are likely to result in declining cruise visitor numbers. This will not happen overnight, but the impact will be real and in the medium term will have a significant effect on Caymanian jobs and Cayman's wider economy.

Mr. Speaker, in the last couple of years, Cayman has delivered strong, positive performance in terms of cruise visitor arrivals. Our opponents suggested this demonstrated that our assumptions in the outline business case were flawed and our views on the likely decline of the industry were merely scaremongering. When it was recently reported in the press that cruise visitor numbers for the first 6 months were down just over 5 per cent, I did not hear anyone rushing to defend our opponents' previous position.

Worryingly, the numbers continue to decline. The first six months were buoyed by January 2019 being the best month on record. If we look at the most recent six months for which data is available (March through August 2019), our cruise visitor numbers are down 12.3 per cent compared to the same period last year. This is in large part due to a correction in the market, as other destinations that were hit by hurricanes, our friends and neighbours, have been able to welcome back cruise visitors. We must be thankful for that in many ways, but the impact on Cayman is real. The future of the cruise industry is about bigger ships and more passengers. Those ships are already passing Cayman by. The impracticality of tendering passengers in those numbers, particularly when they would have to queue for hours in the Cayman sun to return to their ships, means Cayman would no longer be attractive for many cruise itineraries.

As well as the long-term benefit, the short-term job creation associated with the construction of the new port will be significant. When I introduced the SPS in this House some months ago, I said that all the indications are of a slow-down in the global economy in the next year or so. The port construction jobs will help shield Cayman's economy and Caymanian jobs from some of the potential impact of that slowdown. The jobs are real and are available to Caymanians, as anyone

who plans to visit the Verdant Isle partners' job fair scheduled for tomorrow will be able to confirm.

The last economic benefit I want to highlight concerns the enhanced cargo facilities. We have to accept that our current port is too small, too cramped, and too inefficient. It can barely meet the needs of the country now and only does so, Mr. Speaker, because at night it encroaches into the area which is generally reserved for cruise passengers, which then has to be properly cleared and cleaned, so when cruise visitors arrive the following morning it will be presentable—that is every single night, Mr. Speaker. It can barely meet the needs of the country now, and if Cayman is to continue to prosper and grow, as this Government certainly intends it should, we need better cargo handling facilities.

This project delivers Cayman's much-needed cargo port enhancement and creates the capacity we need to see us through the next fifteen years or so of sustained growth. There will be an increase of almost 30 per cent in the useable cargo space. The current lack of space causes delays on vessel operations and the availability of containers for Cayman's retailers and other importers.

The addition of a third small berth, for smaller ships and barges hauling the likes of aggregate and cement, will be a significant improvement. It will allow operation of another vessel which cannot be done at this time; moving that berth out of the way of container operations allows for the simultaneous operation of container vessels and bulk cargo. The improvements will mean that the port can use new, specialist cargo cranes, rather than the inefficient converted construction cranes it uses now. Taken together, these improvements will improve the efficiency of cargo handling at the port, and will help to reduce shipping costs for importers.

If done on their own, these cargo improvements would cost tens of millions of dollars. If the Port Authority had to finance the costs themselves, the only way it could do it would be by increasing docking and handling charges, which would in turn increase the cost of imported goods. There is no viable 'do nothing strategy' for the cargo port. The throughput demand that we put upon it has outgrown the port's ability to meet our needs, and that position will only worsen as the port ages, and our demand for imported goods increases.

Enhancements to the cargo port are desperately needed. Our choice is to move forward with the overall redevelopment project funded by Verdant Isle, or to try to fund and build stand-alone cargo handling improvements. If we move forward with the planned project, we can achieve efficiencies to help to reduce import costs, but if we try to finance a stand-alone cargo project then, inevitably, the costs will be added to the prices of imported goods. The cost of living in Cayman will go up.

If Central Government is asked to fund a stand-alone cargo dock, then it would be by taking money

from some other capital project. Which one should we take it from, Mr. Speaker? Our school plan improvements? The John Gray High School? The just-started mental health facility? Our road works programme? Which project should we sacrifice or slow down to be able to make a start on paying for a larger cargo port facility? No, Mr. Speaker, that is not really a solution my Government or the public would accept. Neither would we entertain any new borrowing for this. The arrangement for additional cargo space coupled with cruise berthing that is funded by Verdant Isle partners and repaid from cruise ship passenger fees is an excellent arrangement, Mr. Speaker.

I have summarised the economic benefits of this project and in due course I will turn my attention to the costs of the project but before that, I will address the environmental impact of the project. I will start with this: despite the oft-repeated claims of opponents of the port development, there will be no impact from the project on Seven Mile Beach. All of the scientific evidence compiled for the Environmental Impact Assessment (EIA) demonstrates that fact quite clearly.

Put simply, sand on Seven Mile Beach comes from the northwest and that flow is undisturbed and will be undisturbed by the redeveloped port infrastructure. After exhaustive scientific modelling of the tides, wind, wave, climate and associated sediment transport processes that operate along that whole coastal stretch, the conclusion in the Environmental Statement produced for Baird & Associates [by Smith Warner International] in 2015 is clear and inescapable. I quote directly from the government, Mr. Speaker: **"There is no apparent sediment transport linkage between George Town Harbour and Seven Mile Beach; therefore, the proposed project is not expected to have any impact on Seven Mile Beach. Fluctuations in the beach width will continue, but the proposed project will not cause any changes in the erosion or deposition patterns along Seven Mile Beach."**

Mr. Speaker, I hear some grumbling over on the other side; they may not have heard me clearly so, with your permission, I will repeat it. Mr. Speaker, the conclusion in the environmental statement produced for Baird and Associates in 2015 is clear and inescapable, and I quote: **"There is no apparent sediment transport linkage between George Town Harbour and Seven Mile Beach; therefore, the proposed project is not expected to have any impact on Seven Mile Beach. Fluctuations in the beach width will continue but the proposed project will not cause any changes in the erosion or deposition patterns along Seven Mile Beach."** Mr. Speaker, that is not Alden McLaughlin saying so, but Baird and Associates.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Opponents of the project are usually keen to talk about the conclusions of the Environmental Impact Assessment but for

some reason, this one, perhaps one of the most important in the whole study, is the one they choose to ignore.

"There are none so blind as those who will not see, none so deaf as those who will not hear."

Actually, it is not just a matter of ignoring the evidence; they seek to deny the science through a mix of anecdote and assertion. I say to the country, *do not be misled*. The Environmental Impact assessment (EIA) is available, go and look at the evidence for yourself; just go online and you will find it. You will see the rigour of the model which allows testing of every combination of weather and sea conditions that has hit Cayman for decades; you will see the clarity of the report's conclusions as I have just quoted them. Please ask those who assert that Seven Mile Beach will somehow get denuded of sand because of the port development to show you the detailed science behind that claim.

My only advice to you, in particular the Member for George Town Central—he is looking hard at me—is not to hold your breath while you wait for them to produce any relevant scientific data to support their wild assertions.

Mr. Speaker, whilst the opponents of the project do not seem willing to accept the science that indicates that Seven Mile Beach will be safe, I am pleased to advise this honourable House that, significantly, the Environmental Assessment Board has accepted the findings and endorsed the scientific methodology followed by Baird & Associates. The Environmental Assessment Board noted in its report on Baird's Environmental Statement that it found the data collection and results outlined by Baird to be robust given the timeline for completion of the EIA.

In referencing Seven Mile Beach specifically, the Environmental Assessment Board report states that: **"We note the conclusions in the Environmental Statement that no large-scale changes to the prevailing sediment transport patterns will arise as a result of the project. The EAB is satisfied that the results of the sediment transport modelling confirm/verify previously understood mechanisms for sediment transport regimes between George Town Harbour and Seven Mile Beach."**

Mr. Speaker, this information has been said many times but has been deliberately ignored. I hope that after today, we will no longer have people and organisations who should know better continuing the narrative that Seven Mile Beach is at risk by this project. Leaving aside the more fanciful claims, however, the Government does accept that there will be important environmental impacts in terms of detriment to the close-by marine environment, with regards to the project. Most significant is any potential degradation that may be caused by dredging to the coral in the area of the redeveloped port.

The Environmental Impact Assessment, which was completed in 2015, estimated the extent of the potential impact, but it also considered how that impact might be mitigated; before I talk about mitigation, however, I want to emphasise the work that has gone on since then to reduce the likely environmental impact.

In response to concerns in our community, raised after the publication of the EIA, I gave a commitment that as we progressed this much-needed project, the Government would take the opportunity to find ways to reduce the potential damage. The procurement approach that we have taken means that the contractor is responsible for designing the new facilities, so we challenged the bidders to come back to us with designs that fulfilled the Government's pledge to the country, and I am delighted to say, Mr. Speaker, that they have been able to do so.

The designs were made public a couple of weeks ago so people can see for themselves, but the headline changes from the original proposals are that the cruise berths themselves have been completely redesigned and the cargo enhancements have been scaled back. Recognising the concerns over dredging in particular, the redesign moves the piers to deeper water. As a consequence, the footprint of the new port design requires 30 per cent less dredging than the original design and completely eliminates the need for any dredging in Hog Sty Bay.

In fact, Mr. Speaker, despite stated concerns about the impact of the project on Eden Rock, I am advised that the reefs in that location are approximately two football fields away from the marine work by the dock and are extremely unlikely to be impacted at all by the dredging; but Mr. Speaker, even with the significant improvements in the design, there will be areas where coral will be impacted by the new facilities. Here is the role of mitigation: It is not possible to move the dredging so that it avoids the coral completely, but it is possible to move the coral so that it can thrive in areas well away from the working of the new port.

Perhaps surprisingly, this too has become an area of controversy in the project. Coral has been impacted in Cayman before, many times, not least by damage caused by cruise ship anchors. Mr. Speaker, let me remind the House of Cayman's recent experience. There have been two large-scale coral re-attachment cases in the recent past at West Bay and Eden Rock. Shipping incidents dislodged and fractured large sections of the limestone reef and damaged thousands of corals at both sites. Polaris Applied Sciences Inc., the proposed Verdant Isle Coral Relocation Partner, re-stored both of these sites in 2016 and 2017.

Coral fragments that are broken and disturbed by vessel anchors and ship hulls should arguably have a lower survival rate than those removed more carefully, as will be the case with the port project; yet monitoring studies have reported 89 per cent survival of tagged specimens on the West Bay site two years fol-

lowing the restoration, compared to 93 per cent of unaffected coral colonies. However, rather than joining with us to ensure that environmental mitigation works effectively, our opponents now seem just to want to decry those mitigation efforts and tell us that they will not be successful. In my view, Mr. Speaker, exactly the same coral species, in the same vicinity, relocated by the same teams provides the best evidence of likelihood of success for this project.

This is not, Mr. Speaker, by any means meant to underestimate the significant challenges involved in carrying out a coral relocation project at the scale envisaged in George Town Harbour. It is clear that the proposed coral relocation will never completely mitigate the ecological impacts of the port improvements, however, the experiences both locally and elsewhere can help us, as we meet those challenges, drawing on the experience of what has worked, and what has failed, here in Cayman and around the world.

There is every reason, as I have said, to be confident that the same experts who have been so successful in relocating coral in Cayman previously will be able to develop and implement an equally successful coral relocation plan for this project. We should be confident that they can achieve high survival rates and that they will help us to achieve the plan's aim of no net loss of biodiversity, which is in keeping with the overall goal stated in the Cayman Islands National Biodiversity Action Plan, 2009. Indeed, the project will include a coral nursery as part of its coral recovery plan, so as to grow and transplant coral onto local reefs that are being degraded.

Mr. Speaker, the last issue of substance in the decision on whether the country should move forward with building new cruise berthing and enhanced cargo facilities is the question of financing and affordability.

The upfront costs of building the new cruise berths and the enhanced cargo facilities amount to CI\$200M, all of which will be paid for by Verdant Isle, the successful bidder. There will be no government cash contribution, no government borrowing or bonds, and no government guarantees. The entire cost and all the risks sit with Verdant Isle. They make their money back from the per passenger tax that is levied on all cruise ships calling at Grand Cayman and so, Mr. Speaker, I introduce the first piece of misleading information about the finances touted by our opponents.

According to CPR, and even some in the Opposition, they calculate that the total income that Verdant Isle will receive over their 25-year tenure will be \$450 million. I will not quibble with that calculation, so let's just accept it for the purposes of this discussion. They then express their indignation that a private sector entity will be receiving \$450 million in income when the build cost is only \$200 million. The \$250 million extra sounds like a massive profit flowing into the hands of the business partners in the consortium.

Mr. Speaker, the first issue with our opponents' argument, is that they conveniently forget that the contract also requires Verdant Isle Partners to maintain the new facilities for the next twenty-five years— it is estimated that maintenance costs are likely to total around CI\$75 million in that period, which reduces the surplus to \$175 million. It still sounds like an awful lot of profit to make though, doesn't it? Well, no; actually, \$175 million over 25 years equates to \$7 million per year. Against an up-front capital investment of \$200 million, that equates to an annual return of just 3.5 per cent; again, this assumes that the \$450 million is correct.

If the partners in Verdant Isle were just looking to make money on an investment they would do better just lending their money out on the markets; they would get a better return. Do not forget as well that the CI\$200 million projected cost includes the vital cargo port enhancements.

The other issue raised by our opponents is that, they claim the Caymanian people will be paying for the new facilities. The basis for that claim is as follows: The amount of the passenger tax that Verdant Isle will receive is mostly a replacement for the tender fees that the cruise companies will no longer be paying, however, in order to make the overall financial model work, the Government is reducing the amount per passenger it receives by a small amount.

That is absolutely true. The amount that was discussed previously by the Ministry was US\$2.32 per passenger; however, this amount was based on the original design option that would cost some CI\$229 million. The option that we have chosen to move ahead with, Mr. Speaker, is one that will cost just under CI\$200 million, thus, we expect that the final per passenger cost, once the final contract numbers are agreed, should be less than US\$2.32 per passenger.

On the basis of those facts, therefore, our opponents have concluded that Cayman is losing out financially. Mr. Speaker, that is completely and utterly incorrect. What we are giving up is income that we would not have unless the project goes ahead. To understand this, remember the point I made at the very beginning; if we build the new cruise berths the number of passengers goes up. If we do not build the new berths, the number of visitors to these Islands will decline.

Put very simply, the Government's total income is greater if the project goes ahead. It will be greater than we get now, and much greater than if we do not build the new berths. The reason is that we are getting a slightly lower amount per passenger, but the increased number of passengers means our total income goes up. Ask any Caymanian whether they would rather sell 20 mangoes for \$6 each or have 25 mangoes that they can sell for \$5 each. For the benefit of Members opposite, 20 mangos at \$6 each yield an income of \$120—

Hon. V. Arden McLean, Leader of the Opposition:
All of a sudden you are a mathematician?

The Premier, Hon. Alden McLaughlin: —While 25 mangoes at \$5 each yield \$125.

In the latter case, would any Caymanian think they were better off because their total income was higher, or that they were losing out by giving up one dollar per mango? If our opponents think that 20 mangoes for \$6 each is the better option, I invite them to come and buy their produce solely from my farm.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Mr. Speaker, I have heard it said that the financing sounds too good to be true; someone else builds Cayman the new cruise berths and enhanced cargo facilities it needs, they are willing to fund the project entirely themselves with no contribution or guarantee from the government. The total income to government from passenger tax goes up. Throughout the build and operation of the new facilities, the port stays the property of the Caymanian people and it will continue to be operated by the Port Authority. There has to be a catch, right? Wrong. There is no catch.

This has been achieved because the government— my government— has been willing to go to the market positively and confidently, negotiating from strength in order to secure the kind of solution that has never been seen in the cruise industry before. Bidders were willing to take part in the procurement on those terms because of the strength of the Cayman offer to cruise visitors. Cruise passengers enjoy coming to Cayman and they want to continue to do so. The only barrier is the logistical one caused by the lack of berthing facilities. The model is attractive to the two cruise companies that anchor the consortium, not because they will make money from the port itself but because keeping Cayman on their schedules helps them to sell cruises. That is where they make their money out of this.

Mr. Speaker, I confess that in some ways this referendum can be seen to be an unnecessary distraction; however, as I said earlier, I respect the work that has gone into gathering the necessary signatures and a referendum we will have.

In some ways, though, this is a fitting debate for our country to be having. As a people, we need to decide the direction that our Islands will take in the decades to come. In doing so, let us reflect on what our people have achieved over the sixty years since we first gained a measure of self-government with the granting of our first written Constitution. No doubt there were people then saying that Cayman should remain “the Islands that time forgot”; but there were others, Mr. Speaker, who were not content to leave things the way they were. People who wanted to improve the quality of life for Caymanians.

They were willing to put in place the legal frameworks that brought the first banking and finance

businesses to Cayman. They were willing to balance some loss of environmental amenity to build our airport and then, yes, our existing cargo port; to welcome hotel developers, and to invest in the necessary infrastructure to allow these Islands to grow. Alongside those pioneers, some now recognised as our National Heroes, the Caymanian spirit of enterprise and entrepreneurship meant our people founded and grew the businesses that could take advantage of the new economic opportunities that presented themselves.

Mr. Speaker, I believe that spirit is still alive and thriving in these Islands. Our people are not waiting for the government to come up with answers to questions about where tourists will go and what will they do. The government will play its part, as we do, but Caymanians will exploit the opportunities and create the businesses that answer those questions for themselves. That is what occurred after the wharf on the iron shore was converted into a modern cargo dock facility in 1977— a cargo dock that has served us well and has been expanded over the years, but which is, again, in need of expansion.

Mr. Speaker, as you well know, the George Town Port Project that was opened in 1977 was controversial in its time. There were those who—

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: There were those who, like some opponents today, lacked vision and did not appreciate the need to modernise and improve our infrastructure some of that history, Mr. Speaker was captured in a supplement published by the Nor’wester Magazine on July 16th, 1977, to celebrate the completion of the George Town Port Project.

Mr. Speaker, I ask the indulgence of your good self, to lay a copy of this supplement on the Table of the House, and to recite a few words from it that mention the comments made by Mr. Berkley Bush— Mr. Berkley, as we all called him— who was the Ex-Co Member responsible for building the port.

Mr. Speaker, Mr. Berkley and his entire government, the government from 1972-1976, lost their seats in the election in 1976, but Mr. Berkley was invited by the new Ex-Co Member, Captain Charles Kirkconnell, to speak at the opening of the George Town Port Project in July, 1977.

Quoting from the article, Mr. Speaker, the reporter says: “In his speech, Mr. Bush outlined the history leading up to the construction of the port facility. Although he had been a central figure with his drive, determination, and enthusiasm in getting the port project started, he summed up the part he played by saying, ‘There was a job to be done and someone had to do it and I just happened to be that man.’”

“The ceremony also gave Mr. Bush an obviously welcome opportunity to answer his critics who had cared about the facility and its positioning for many years. With obvious relish he pointed out to those who

had said it was utter stupidity to build in George Town because of Nor'westers, that the dock had survived two seasons of Nor'westers while under construction.

"To those who had pointed out that the Island had done alright with just the iron shore during the boom period, and why, therefore, was a dock facility needed, he wondered where the country would end up if such prophets of doom were in the driver's seat.

"To those who had said that he had lost his seat in the Legislative Assembly because of his involvement with the dock and insistence that it be in George Town, he replied in ringing tones that he would rather have the dock facility, and have it in George Town, than occupy every seat in the Legislative Assembly, representing people who did not want the port." [UNVERIFIED QUOTE]

That, Mr. Speaker, is the measure of a statesman. I want to mention another recorded statement from that supplement; that of Captain Charles Kirkconnell who spoke after Mr. Berkley:

Quoting from the article again: "Captain Charles also pointed out that a gateway to larger and more up-to-date cargo ships had been opened, and would link the Islands with international terminals. This was bound to result in savings to the consumer... The manner in which cargo was handled on the old wharf had caused damage and losses to imported goods, which naturally forced prices to rise." [UNVERIFIED QUOTE]

Mr. Speaker, I thank God and we all should, that we had representatives like Berkley Bush and Captain Charles Kirkconnell in those times, who had the vision, foresight, and fortitude to push through even controversial projects like the cargo port; and understood the need and benefit of vital infrastructure projects. In this case, a modern port facility that has benefited the country and our people hugely over the past forty-two years.

I do believe, Mr. Speaker, although I won't be around, that forty years hence those who occupy these hallowed halls will recognise that the building of this cruise berthing and enhanced cargo port was similarly significant for the future development and success of our Islands and our people; and Mr. Speaker, they may undoubtedly state how glad they are that the prophets of doom failed to stop the project by way of this referendum.

Mr. Speaker, the question on the ballot paper in this referendum is about cruise berthing and enhanced cargo facilities. The question for the country is whether we still have the confidence in ourselves, and in our future, to grasp the opportunities before us. The opportunities to start new businesses; the opportunities to improve still further our world-class Caymankind cruise tourism offer; and, yes, the opportunity to show we can deliver a world-leading coral relocation programme.

Mr. Speaker, I and my Government believe in a strong and prosperous future for these Islands. I believe in opening the door to economic opportunity— not slamming the door on the jobs of the hundreds of Caymanians whose livelihoods depend on cruise visitors. Finally, I believe, Mr. Speaker that the majority of Caymanians believe as I and my Government do. The referendum gives them the chance to show their confidence in themselves and in a prosperous future.

The choice facing the people of the Cayman Islands on 19th December is a clear one. On the one hand, we can choose to move forward with building our new cruise berthing and enhanced cargo port facilities. If we do so, we guarantee that cruise ships will continue to bring their visitors to Grand Cayman and in so doing we safeguard existing jobs and create more employment and business opportunities for Caymanians. The enhanced cargo facilities will mean that the port can handle bigger ships and more cargo more efficiently and this helps drive down the costs of all the goods we import. This redevelopment of our tired and inefficient cargo port can only be funded because it is being linked with our new cruise berths. Cayman can choose to move forward with building our new cruise berthing and enhanced cargo port facilities. We can, and we should, choose prosperity.

On the other hand, we could turn our backs on the redevelopment of our port. As cruise ships grow in size, they will increasingly pass by Cayman on their way to other destinations that have the facilities needed to cope with their passengers. Visitor numbers in Cayman will fall. Caymanians will lose their jobs and their businesses will fail. We could try to make do with cargo facilities that already are too small to meet our current needs, let alone meet the needs of a growing population. We could choose decline.

The deal the Government has negotiated with Verdant Isle partners ensures that no government funding is required to build the dock but the facilities remain in our ownership. Increased visitor numbers mean total revenue to government increases, so we can afford to continue funding other things like schools and road improvements. There is no financial risk to Cayman, its government or its people.

The Government has responded to people's environmental concerns and the redesign of the port development has significantly reduced the environmental impact of the project. There is no dredging in Hog Sty Bay and no risk to Seven Mile Beach. There will be damage to existing marine environments but millions of dollars will be invested to relocate corals, and we aim to achieve no net loss of biodiversity. The Government has done all it can to safeguard Cayman's economic future while minimising any environmental impact from Cayman's port redevelopment.

Mr. Speaker, Prosperity or decline? This Government chooses prosperity for this, and future generations, of Caymanians. We must get on and move forward with building the cruise berthing and enhanced

cargo facilities that help to secure that future prosperity. I ask all Members of this honourable House to vote Aye on this Referendum Bill, and those Caymanians who go out to the polls on referendum day, to vote a resounding Yes to the question: "Should the Cayman Islands continue to move forward with building the cruise berthing and enhanced cargo port facility?"

Thank you, Mr. Speaker.

God bless these beautiful Cayman Islands.

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

Hon. V. Arden McLean, Leader of the Opposition:
Thank you, Mr. Speaker.

I guess it has fallen to my lot to respond to the Government's position on this Referendum Bill, therefore, before I start into the meat of my debate, I would like to point out something, especially for the listening public, and that is that the difference between the Government and the Opposition, lies entirely in how we prepare our speeches. The Government have the resources to engage speech writers who have in their possession, the ability of flowery language, and I do not mean f-l-o-u-r; but sometimes you wonder if you are not blinded by that.

On the other hand, we, Mr. Speaker, have to do our own research as has always been the case in this country. We have not yet matured to the point where the Opposition gets financial resources to engage its own people, like research people and speech writers so, in advance ask for forgiveness, for all of us on this side, if we do not come across as flowery as the Government has been.

Mr. Speaker, I rise obviously to offer a contribution on behalf of the Opposition in this debate that is before us; this very controversial Bill that is before this honourable House, entitled "The Referendum (People-Initiated Referendum Regarding the Port) Bill, 2019." Now, Mr. Speaker, the Premier has said so much here this morning, that it appears we should not even have had to do research and prepare because he has said enough for us to be able to debate for a lifetime.

Anyway, Mr. Speaker, it is kind of difficult to decide where to begin because controversial seems like an understatement, especially since the developments over the weekend. Just when I thought we were going to be able to have a straight debate, in comes the circulation of an opinion that evidently was requested by CPR, which brings yet another twist to bear. If I may add, that opinion raises many of the matters that the Opposition had similar thoughts on.

Mr. Speaker, I certainly do not know at this stage where that opinion is, and whether or not it has been laid yet; if a Writ has been filed with the courts, therefore, I will be very circumspect in my referrals thereto.

What should be one of the most historical days of our political history has unfortunately turned into one

of the most contemptuous and divisive periods of our lifetime; it should have been historical. The people of this country should have been celebrating it, because this is the first time that they have en masse, and legally, exercised their right to be involved in the governance of their country. Long may that last!

Unfortunately, or fortunately, again, whichever it may be, this Government can take claim for most of the divisiveness that has occurred over the last year on this very important project because, Mr. Speaker, the Government's response to the wishes of the people has been somewhat cavalier; so much so, that the whole country has become disconnected—and I am hearing it.

The people are questioning the usefulness of participating in the democratic process any longer, even at election time. I have become extremely concerned about that, Mr. Speaker, but when a country becomes as disconnected as we are today—these Cayman Islands—so divided, any Government has to stop and take stock. They have to ask themselves, "*What have we done to cause this, and how can we correct the dissension among the people who we were elected to serve?*"

Mr. Speaker, this Government, in the last year, on this particular subject, has demonstrated what is seemingly a belief that they know best once they are elected. That is a misconception because those who know what they want for their country are outside of here in the majority. There are only nineteen of us in here and those outside, collectively, know much more than we do. I have often wondered in recent times, what happened to "By the people, for the people." Have we forgotten that?

Mr. Speaker, the people's monies have been used by this Government over the last year (more so in the recent six months), almost in a manner that we chastised our children, at least when I was growing up. It appears like we want to beat them over the head and beat sense into the people who we purport to serve. It appears like we want to beat them into submission. May I suggest, Mr. Speaker, this approach is contrary to the real democracy that we swore to defend and protect?

The real flesh and blood that we swore, we took oaths in this honourable House to protect them and to defend them and to adhere to their wishes—and sometimes their wishes are contrary to what we believe; but it is our responsibility to sit them down and explain to them what and why it has to be done in the manner that is contrary to how they believe it should be done.

Mr. Speaker, one of my greatest knowledge-enhancement was when I walked into these hallowed Halls, and I am sure others who have been here, in particular, the new ones in recent times, will tell you and your good-self too, Mr. Speaker, that after you get here is when you realise that what you were saying outside

is not so and so you have to adjust. Therefore, the people on the outside do not know how these things operate so we have to carry them along with us.

Mr. Speaker, there seems to be a rising tide world-wide, of people demanding a listening ear from their government. Here in Cayman we are no different, but what we should do here in Cayman is be thankful that our people, thus far, have not taken their demands as far as others have. Nevertheless, this Government is seemingly dismissing the people who are asking them to explain their actions and how it will affect their future and more so, their children's future.

Mr. Speaker, firstly, the Government rejected a motion by Mr. Miller and myself, to have a referendum which was tabled in September [2018] in Cayman Brac. Next, it dismissed those who called for more information and when there was no response, they started a petition, the result of which we are today debating. The Premier says that they are now providing a booklet despite him saying there was sufficient information available for the people of this country to decide; he just said that. I wonder why we are making the booklet then. I recall when we did the referendum 2007/08/09 we had information throughout the country; booklets which culminated into one big book... well, as to what the Constitution would entail after the negotiations.

Mr. Speaker, we can't do it after the fact. Too little, too late, people have already made up their minds. If the Government is so convinced that the cruise facility is that important and it is not going to adversely impact this country environmentally and otherwise, then they should have been doing this a long time ago.

Mr. Speaker, the Government then dismissed the possibility of the petition reaching the threshold of 25 per cent; I heard them! *"It will never happen"*. Then the Government says that it should not take a year. That may be true, Mr. Speaker, but I do know those people had a lull in their campaign, and drive, to get more signatures.

Mr. Speaker, the Premier just said, if there was a law—which I called for and I will talk about that—the time period to have reached that 25 per cent threshold would probably be maximum six months. Who is to say that they weren't going to get it? We can come up with the most...

Mr. Alva H. Suckoo Jr., Elected Member for Newlands: Creative.

Hon. V. Arden McLean, Leader of the Opposition, Elected Member for East End: Creative; let me say creative. I was going to say a word that starts with "E" and ends with "n-i-n-e". Who is to say that the people wouldn't have gotten it? Who is to say that the people were not angry enough to come out in masses and sign it?

We are always, and have always taken advantage of the passiveness of the people of this country. That is precisely why we are here debating today, a people-initiated referendum. You all need to stop it, you know! You all need to stop it! Because in the days when I, and your good-self were growing up, Mr. Speaker, I know of many Caymanians who were not as passive, and so does everyone else. Well, those who are a little older like the Premier, the Member for Cayman Brac, the Deputy Premier, and my good friend behind me.

Mr. Speaker, I said earlier in the introduction of my speech that we keep putting out these flowery languages. They wouldn't have gotten it. They're going back and taking that one year and extrapolating that it took one year, so if it were six months it wouldn't have been reached. You can't do that. That's not fair. Mr. Speaker, we don't know the underlying wishes of the people of this country; we don't know, and as such, we must be cognisant of their wishes and give them the right to exercise it.

Then, Mr. Speaker, upon the threshold being reached, the authenticity was then questioned and a house to house verification commenced. Really? And, Mr. Speaker, the Premier says that CPR had all kinds of tactics to get people to sign the petition. Mr. Speaker, I don't know. Like the Premier, I am often out in the community. I watched these young Caymanians—relatively young anyhow—who are from good, decent families like what those old people talk about, *"I know where they come from"*. Not once during that entire period did I ever think that there were any tactics being used by those young people to try to get people to sign that petition; not once.

Mr. Speaker, what I do know is that they, every one of them, knew they would rue the day their parents or their family knew they were doing something like that. They knew that. I have more questions about the Members in here than I have about them when it comes to this petition.

Mr. Speaker, we are coming to some of the hypocrisy in this place over the last few years. The Government was not satisfied with that, Mr. Speaker—sending Mr. Howell chasing illusive dreams, hoping that they could not verify everybody; the Government was not satisfied with that. We then saw the Government promoting the 'unverified' process by those who signed the petition; encouraging people to go and have their own names unverified—really? As far as I know, only three people did.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Two? Well, that is close enough to three.

Mr. Speaker, a little later in my prepared speech I am going to talk about how some of us talk about fairness inside these very hallowed Halls. I do not have any speech with that flowery language to follow;

this is about advocating on behalf of the people and reminding the Government of a behaviour that is unbecoming. You cannot do this to your people. I don't care where they come from, Mr. Speaker.

[Inaudible interjection]

Hon. V. Arden McLaughlin, Leader of the Opposition: Mr. Speaker, that was not enough. All of those things were not enough. They then announced the preferred bidder, again, showing their arrogance that they were moving ahead regardless of what the people say.

They then proceeded to allow some of those financiers from the cruise industry to come into the country to do the job of explaining to the people what the project entails. A job that they alone, they alone, Mr. Speaker, were elected to do. I did a press conference then, asking those people if they understood the Foreign Corrupt Act in America. Mr. Speaker, a job that is wholly and solely the Government's responsibility, and they are bringing in people from America to dabble in the politics of this country— and I don't want to hear that they have a company here; until a contract has been signed, they have no business in this country.

[Pause]

Hon. V. Arden McLean, Leader of the Opposition: In the meantime, Mr. Speaker, we have legitimate Caymanian companies here that cannot get work permits. Really? Really? Mr. Speaker, without any disrespect, you see all of them up there? They all are in Cayman company businesses, every one of them; and it is challenging for them to get work permits and the Government brings these people in, who do not have a contract, under the guise that, "*They are the preferred bidder and they know more than we do. We are proposing this project but they are going to explain it to you.*".

Mr. Speaker, if that is not a case of total absolute disrespect for the people of this country, I don't know what is and I don't know, if not the laws... the Attorney General in his debate will have to— because I'm bringing *unna* out. *Unna* going to debate here today! You all talk about *unna* want to work late and finish this today? More than me will have a debate; I promise *unna* that.

Mr. Speaker, this has gone past the dock now because, obviously, it is up to the people to deal with that. It is the disrespect that this Government has for the people of this country, and I will demonstrate it. I am going to show and prove it. Do you know what they say in East End? "Don't rush nuttin", everybody ga get their little piece."

A job that the Government was supposed to do, they haven't performed. I want to know, what the Government is afraid of. Those same people who elected them, the Premier said, in 2017, they are afraid to face them. They go on the radio and shut off the phones, under the guise that they are explaining. I don't

have that privilege. I am taken on every day and I answer truthfully. These are the same people that Government is going to go to, in less than two years' time, and ask them to return them to power. Really? Why would the people return you all to power? To abuse them the same way you have been doing these last six years? And we are getting to that too, about this thing called "Mandate". Since you all talk about your lawyers, mandate this!

[Pause]

Hon. V. Arden McLean, Leader of the Opposition:

Then, Mr. Speaker, we hear about the financiers, the people from the cruise association in Florida, whom I just spoke about coming to and explain to the people. They sent a text to me and my people at 1:47 pm, asking to meet that evening. Meet for what? Meet for what? Really? Me?

Mr. Speaker and colleagues, I am wide open to meeting with them, but it is not about the dock. I want to meet with them to do the job that the Government hasn't done, which is to find out when they are going to give our tour operators at least 50 per cent of what they sell our tours on the passenger liners for. That is what I want.

[Desk thumping]

Mr. Alva Suckoo, Elected Member for Newlands: That's what you need to ask them.

Hon. V. Arden McLean, Leader of the Opposition: I will meet with them tomorrow, today, or late tonight too. I will tie a light around my head and go meet with them, but that is what we are going to talk about. We aren't talking about that dock; it is not their business. They are engaged to build it, if they do get that.

You know what? That Writ that is being threatened is going to stop everybody. Not only that; Mr. Speaker, all of us have our opinions on this and I respect all of the Members, they all will get up and say their thing.

Mr. Speaker, the Government wasn't satisfied with that. They are now bringing them in to do a job fair. Job fair? For jobs that started at \$900 and are now down to \$200?! With a legitimate government department, WORC [Workforce Opportunities and Residency Cayman], will be added, too. Maybe the Deputy Governor needs to look into that and find out if that is legitimate. A foreign company—

Mr. Christopher S. Saunders, Elected Member for Bodden Town West: With no contract.

Mr. Alva H. Suckoo Jr.: With no work permit.

Hon. V. Arden McLean, Leader of the Opposition: With no contract, maybe a registered company here (I haven't double checked that yet because you have to

go to the registered offices) and the Deputy Governor—I told you that everybody is going to get a piece.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: Is sitting here and I can't say that he didn't object to it, but what I do know is that I didn't hear any objections; and, whether he has or not, I am now imploring him to look into it to see if there is any legitimacy—

[Inaudible interjection and crosstalk]

Hon. V. Arden McLean, Leader of the Opposition: I hope they remember the—

The Speaker: Is this a convenient point to break Honourable Member?

Hon. V. Arden McLean, Leader of the Opposition: I was just getting into some juicy stuff but—

[Laughter]

The Speaker: It sounds like a good time to break then.

Hon. V. Arden McLean, Leader of the Opposition: Thank you, sir.

The Speaker: The House will suspend for lunch until 2:30 pm. Before we leave, persons visiting us today are reminded that when they enter, they are to recognise the Chair and when leaving, it is the same procedure.

Thank you very much.

Proceedings suspended at 12:50 pm

Proceedings resumed at 2:41 pm

The Speaker: Proceedings are resumed.
Please be seated.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

[Administered by the Clerk]

Hon. Gloria M. McField-Nixon, Acting Deputy Governor: I, Mrs. Gloria Michelle McField-Nixon, do swear that I will well and truly serve Her Majesty Queen Elizabeth II, her heirs and successors and the people of the Cayman Islands in the Office of Ex-Officio Member of the Legislative Assembly, so help me God.

OATH OF ALLEGIANCE

[Administered by the Clerk]

Hon. Gloria M. McField-Nixon, Acting Deputy Governor: I, Mrs. Gloria Michelle McField-Nixon, do swear

that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors, according to law, so help me God.

The Speaker: Mrs. McField-Nixon, we welcome you again to be the Acting Honourable Deputy Governor, responsible for the Portfolio of the Civil Service to be the temporary ex-officio Member of the Legislative Assembly.

[Pause]

The Speaker: The Honourable Leader of the Opposition continuing.

Hon. V. Arden McLean, Leader of the Opposition: Thank you, Mr. Speaker.

When we took the luncheon break I was discussing the matter of the cruise-liners part in this cruise berthing facility, namely, Verdant Isle, the preferred bidder.

Mr. Speaker, I don't know these people but certainly, their interest in this does not necessarily align with that of the people of the Cayman Islands. Their interest is solely and purely to make money, and whilst this country needs to enhance its facilities, and in the process make money, it is not— or should not be— with the same objective of these people. We also have to ensure that we balance that with what we leave for future generations.

The Premier, in his presentation of this Bill, talked about the supposed and eventual contractors being Verdant Isle Group, and Mr. Speaker, apparently that group, and in particular the Florida Cruise Association, have their reputation to deal with.

I recently saw a report on the Florida Cruise Industry, and what was important in there, they were talking about these four mega-ships— its only four — and what Florida gains out of being a home port. Albeit it's a home port, it appears Florida was getting more per day, than we were getting per year out of all the ships that come here.

Mr. Speaker, I talked about what is happening on those ships that use us as a port of call whereby they sell our excursions and tours for large amounts of money on the ship; how our people, the Caymanians whom we are supposed to do this for, get \$20 or \$25 per head, when there are rumours of tours in our country selling for \$80 plus.

Mr. Speaker, I then saw a report in the Jamaican papers, where they have three or four ports in anticipation of growth, and now they are saying that they are dependent upon Cayman to put in our piers to be able to properly utilise theirs. I have talked to some of my counterparts in Jamaica, and depending on whom you talk to— like anything else, that's what politics is about, debate and counter-debate— some tell me about how they have been taken for a ride by the same Florida Association.

Mr. Speaker, I want to put it this way: The Premier spoke about Mr. Berkley and Captain Charles; two good gentlemen. I didn't know Mr. Berkley that well, and Captain Charles considered me a little son, as he used to call me. Good men. They made their mark on this society, and I am not saying that Mr. Berkley did not have the right to do the dock out there but hitherto, it was N-O-T-H-I-N-G. Nothing here. Mr. Speaker, yes, I understand that they were in a position and today we are in a position to say that such a position was right, but Mr. Speaker, it has taken us from '77 until now or we realised it before that. They were right, Mr. Speaker, but suppose—just suppose—that now I and CPR, and all others in the community are right, and the Government is wrong? Are we prepared to take that risk?

I have said often times that I am no tree-hugger. You will not find Arden McLean hugging any tree to stop development. I am not hugging any tree, Mr. Speaker, but I also understand the caveat: *Extinction is forever*. It is gone. Once it is gone, it is gone, there is no coming back.

My experiences, as most people will know, started as a merchant marine engineer. Young fellow. Like those who came before me, the one thing I had was engineering abilities; and even if I say so, I was good at it, so Mr. Speaker, I understand the operations of vessels. I have seen, I have travelled, I have circumvented the world; long before I was 21 I had already gone around it once. I have seen the development of ports in other countries where they have seaports or river ports, for that matter, and invariably, every time you had to cut the bottom of the ocean to deepen it, it became a problem. Mr. Speaker, I can tell you and others that it is not a pretty sight. Once vessels are manoeuvred inside those cuts, it will cause turbidity; I have seen it happen time and time again.

Now, for some reason, this Government thinks that there won't be out there and we have pushed it further out into deeper water. They are still cutting, Mr. Speaker. Those ships are somewhere between 230 to 260 *thousand* tonnes. Now, when you need to stop that ship, albeit you are coming in slowly, you need a lot of propulsion in reverse, sideways, to prevent accidents. More importantly, once you have stopped that ship, you have to get it moving—that's when you need propulsion. Mr. Speaker, George Town Harbour is going to be a sight of milky water. Neither you nor the country has to believe me alone, on that matter. I don't think there are many marine engineers in here other than myself, but you don't have to believe me.

The Premier read a letter from the newspapers this morning, and he said it was instructive, that's why he was reading it. I thought "instructive" was relative there because it was supporting his and the Government's position. Anyways, a half hour ago, someone sent me a link to CNS [Cayman News Service] which directed me to a view point.

Mr. Speaker, like the Premier, I hold no brief for this writer, I hope he doesn't. I hold no brief for the

writer nor do I know the writer, but with your permission, I would like to read that viewpoint which was posted today, interestingly. It is entitled—

The Speaker: Do you have a copy I can have?

Hon. V. Arden McLean, Leader of the Opposition: No, Mr. Speaker but I guess we could get one. Where is the young man?

While they are getting it, Mr. Speaker, I would like to touch briefly on some of what it talks about, in that I heard the Premier read extensively about the EIA [Environmental Impact Assessment] that was conducted on George Town Harbour and the relocation of the coral.

Mr. Speaker, I don't know which EIA the Premier read from, or quoted from, I should say; but if I am to believe the one EIA that I am privy to, which was the 11th August 2015—**"The EAB (Environment Assessment Board) review of Consultant Draft Environmental Statement Technical Appendices and Non-Technical Summary"**, under George Town Cargo operations, under the sub-heading 3: **"Overview of Scope of EIA and Areas of Uncertainty"**

"Cargo Operations"

"The scope of the EIA pertained only to cruise berthing and did not call for an assessment of the capacity of existing or future cargo operations. The ToR (Terms of Reference) did, however, stipulate that the EIA should consider the interface between cruise and cargo operations and how cruise berthing may affect cargo operations during construction and operation of the berthing facility. Therefore, whilst the Environmental Statement (ES) refers to the opportunity to expand existing cargo operations, this has not been scoped (e.g. traffic, air quality, visual impact, requirement for additional dredging etc.) or adequately assessed in the context of this EIA."

Mr. Speaker, I am no scientist. There are many in our country that we call mad scientists. I don't know what category I fall in but I know I am not a qualified scientist; but Mr. Speaker, this viewpoint is quite instructive as well. It is written by Dr. Ellen Prager, it reads:

"I am an independent marine scientist and author. In full disclosure, I also work as a consultant for Celebrity Cruises in the Galapagos Islands for their small expedition ships. I am not against the cruise industry and believe, if well managed and negotiated, the industry can provide important economic revenue, jobs, and infrastructure improvements for island nations. I have long worked with them to minimise environmental harm and promote science and sustainability. But..."

"In 2015 I wrote an article for CNN with my colleagues Drs Steven Miller and Carl Safina regarding the proposed port construction project, pointing out the importance and complexity of coral reefs, and the falsehoods in the original environmental impact assessment regarding relocating entire reefs and coral restoration.

"Recently, I have been asked repeatedly what my take on the situation is now.

"As a scientist, I base my opinions and recommendations on data. Based on the data, it is absolutely clear that at a minimum ten acres of coral reef will be destroyed – best case scenario. But there is also risk to the coral reefs to the south and northeast of the proposed dredging area and pier due to increased turbidity during excavating operations and afterward from repeated use of ships' thrusters. Thrusters are used to manoeuvre ships into and away from a pier or dock and generate strong short-lived currents. These impacts are, however, uncertain. I just said that.

"There is additional uncertainty on the impacts to Seven Mile Beach. In the report by my colleague, Dr Richard Seymour, often cited by the parties involved, it suggests the southern part of the beach is unstable and the buffering capacity of offshore structures minimises sand loss during north-westers." Mr. Speaker, I am not going to comment on it because I cannot determine on my own whether that is so, but I know turbidity is so.

"The shelf that fronts this beach is shallow and irregular in depth, because of substantial ridges of beach rock, coral heads, and boulder fields. This hydrodynamic roughness scatters and dissipates the energy of incident storm waves such that the classical offshore transport during storms that dominates on open coasts is greatly diminished." – Dr. Richard Seymour

"If the reefs to the northeast of the proposed pier are lost due to indirect impacts (turbidity or smothering), there is potential for impact on Seven Mile Beach as well." That is this side— going towards West Bay along Church Street.

"As for the revised plans for coral and reef relocation, the plans I have been made aware of have improved, but data from coral restoration projects across the world are not optimistic."

Mr. Speaker, I believe I wrote down the Premier saying 97 per cent or 90 something per cent; 87 in West Bay and 93 on the other sites.

[Pause]

"In the short-term, and with some species such as staghorn coral, the results are promising. But over the long-term, survival rates plummet dramatically. Warming seawater temperatures, an increasingly acidic ocean, more intense storms and rising sea levels associated with climate change

will also impact the survival of the coral transplants as well as the region's natural reefs.

"In addition, to my knowledge, there has never been a project as large as is being proposed to relocate reef structures to minimise coral and biodiversity loss, so there are no data suggesting it will be successful."

We are always first to run out in the front. Always; without any thoughts for what our grandchildren are going to see out there— none. Yet, we talk about we want them to go catch lobsters and go along the bay and catch whelk and go throw out the lines like we did, because it was a necessity for us to survive. We had to take those little fish home for our parents to fry. We want to leave that, but we have no thoughts about it.

"Bottom line is it will be the choice of the citizens of Grand Cayman: What do you want the future of the island to look like and what are you willing to risk? Will you risk a harbour with clear, beautiful water, alive with fish and other marine life that avails snorkelling, diving, submarine rides and a spectacular view for waterfront restaurants? Will you risk a change in the overall oceanographic dynamics and geology that puts Seven Mile Beach at risk as well as additional acreage of coral reef?"

Mr. Speaker, that's what I said earlier. Suppose we are right and the Government is wrong? I hope the Government is right, if they are going to force this on, but suppose we are right? Suppose those 25 or 28 per cent of people who signed, are right? What happens then? What happens then?

"Without data, I cannot comment on who will benefit most financially or bear the brunt of the costs or the carrying capacity of the island's infrastructure or excursions, though from personal observations, Stingray City, is clearly already at capacity.

"As a non-Caymanian, I don't have a say but if I were a resident, I certainly know how I would vote. Instead, I'd want more funds invested in local improvements (such as addressing the dump and sewage treatment, improving education, George Town, and creating jobs, etc)."

Mr. Speaker, I am going to add to that. The Government has come to this country proposing a dock for \$200 million. For the people in Bodden Town, North Side and East End, it's taking two and a half hours to do a 30-minute drive; yet the Premier stands here this morning and begs those who come out, to vote Yes to continue the spend of \$200 million, while he cannot find \$25 million to fix the infrastructure up there so my people can get to George Town in the 30 minutes that they are supposed to?

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition:
Huh? He said the issue is not the money.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: "The issue is the National Conservation Council", he says.

Mr. Christopher S. Saunders: Who appointed them?
Mr. Alva H. Suckoo Jr.: Who appointed them?

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, any board or statutory authority in this country is appointed by Cabinet, get rid of them if that's what you want to do!

The Premier, Hon. Alden McLaughlin: Go ahead and start the campaign.

Hon. V. Arden McLean, Leader of the Opposition: I must go ahead and start the campaign? When I was Minister, those who didn't follow my instructions got removed. That's how it works! I have a job to do. I must get it done without interference, providing that it is reasonable— watch the caveat, I see you smiling— and lawful.

Mr. Speaker, I know my colleague, the Premier, knows where I am coming from.

The Speaker: Honourable Member, the article that you read is from CNS. Am I right?

Hon. V. Arden McLean, Leader of the Opposition: That is correct, sir.

The Speaker: I want to make sure it is on the record, that this article came from CNS.

Hon. V. Arden McLean, Leader of the Opposition: Cayman News Service, online.

The Speaker: I know who they are.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, like you, I do too, sir, but when we see viewpoints, I take it that they are reproduced and posted as written so, I give them a little more credence.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Master source of objectivity.

Mr. Speaker, let me move on with this because there is much to be said and done here, and don't think now that this is going to be short-changed.

I was talking about how the Government was mistreating its people. Mr. Speaker, that mistreatment has been topped off by the use of public funds in the guise of promoting a government policy. Mr. Speaker,

it appears to be abuse of the Office of the Premier, and misuse of public funds by the Premier, in relation to the cruise berthing campaign currently being conducted by the Premier and the coalition Government, under the guise of education.

You can't beat up on one administration, then turn around and do the same thing. You can't do that. You cannot do that, Mr. Speaker...

I don't see anybody jumping up.

Mr. Speaker, maybe, just maybe, I have been here too long—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: That's not what East End thinks? That's what the people of East End think. Well, I trust that those in Red Bay feel the same way about you.

[Applause]

Hon. V. Arden McLean, Leader of the Opposition: And, I know what, Mr. Speaker—

The Speaker: Honourable Member.

Audience, those in the public gallery, there is to be no clapping, no kind of applause. In fact, if you have to talk, do so quietly that I and Members cannot hear, because you cannot disturb Members speaking or people trying to pay attention to what the person who is speaking is saying, so bear that in mind. Thank you.

Continue, Honourable Member.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I thank you for that but there are those in here who are disturbing us too.

[Laughter]

The Speaker: I know that you and I know that, but that is what they are supposed to do.

Hon. V. Arden McLean, Leader of the Opposition: Alright, yeah, Mr. Speaker. Yes, sir, I understand that. I have been here nearly twenty years, the Premier and I came here at the same time.

An Hon. Member: Ayayay.

Hon. V. Arden McLean, Leader of the Opposition: He likes to say he got sworn in before me, but it was at the same time, I got elected before him.

An Hon. Member: Ayy.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: My returns came in before him that night. I was certain of my seat, he had to wait until the next day. He didn't know.

Mr. Speaker, I am the first to admit that the Government needs the room, the flexibility, and the utilisation of the monies that the Government collects from the people to inform them of what they are doing. I am the first to admit that. I think the people need to know; but this has gone far beyond knowing. What they are doing has gone far beyond any policy promotion and you know, interestingly, Mr. Speaker, that in 2012 when your good self was allegedly doing the same thing— watch my choice of words, sir.

The Speaker: Are you defending or are you accusing, which one?

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I am saying that we were alleging that you were doing the same thing.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Now you opened a can of worms. Now, you really opened that can— 'bout speak for myself?!

Mr. Speaker, with your permission, let me read a letter dated the 16th September 2012. Let the world decide if I am speaking for myself alone.

**“His Excellency, Mr. Duncan Taylor, CBE
Governor of the Cayman Islands
Cayman Islands Government” —**

The Speaker: Honourable Member, can you get me a copy please?

Hon. V. Arden McLean, Leader of the Opposition: It's right here.

The Speaker: Okay.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition:

— Government Administration Building George Town Grand Cayman

“Dear sir,

“Re: UDP Financing and Promotion of Anti One Man One Vote (OMOV) Campaign.”

“I am writing to lodge an official complaint with your office regarding what appears to be abuse of office and misuse of public funds by the

Premier in relation to the anti-OMOV campaign currently being conducted by the Premier and the UDP administration under the guise of an education campaign.”

You see where I pick my words from?

[Desk thumping]

Hon. V. Arden McLean, Leader of the Opposition:

“By copy this letter I am also registering the complaint with the Office of the Auditor General, the Commissions of Standards on Public Life and the Anti-Corruption Commission.

“In February this year two of my colleagues, MLA Ezzard Miller and MLA Arden McLean, in conjunction with the OMOV Committee launched a petition seeking a people initiated referendum on the question as to whether the Cayman Islands should adopt the principle of one man, one vote and convert our system of electoral districts to single-member constituencies. The petition called for a referendum to be held by November 2012, and if the question was answered in the affirmative, that the new system be implemented in advance of the elections to be held on May 2013. The petition quickly gained a groundswell of support and by April the number of signatures had approached 25 per cent of the electorate, the constitutional required figure to trigger the holding of a People's initiated referendum.

“Although the government had previously indicated that it would not be holding the referendum in advance of the elections, as the number of signatures grew the government changed its position.

“On the 10th April, the Premier made a surprise announcement that the government would be holding a referendum on OMOV and single-member constituencies on July 18th.

“The practical effect of this decision by the government was to side-line the people-initiated referendum to impose in its place a government referendum. In addition to creating major challenges for the success of the referendum question by holding a referendum in the middle of the summer holidays.

The government has also included a provision in the Referendum Law, requiring that a majority of the registered voters are needed to approve the question as opposed to a majority of votes cast.”

“Astonishingly, the government then adopted the unprecedented approach of campaigning against its own referendum question. However, what is even more irregular and objectionable and which must amount to abuse of office and to misuse of public funds in the campaign that has been underway by the government and particularly, the Office of the Premier ever since.

Although the Premier initially said that the government would be engaged in an educational campaign about the pros and cons of single-member constituencies, this is not what has occurred. Instead, what has been happening is that the populace have been subjected to a massive “Vote No” campaign utilising every media outlet and paid for by the Office of the Premier. The following are some examples:

- Full page advertisements are appearing daily in the local newspaper, appealing to the public to vote no.
- Advertisements are being run on the radio show urging the public to vote no.”

Mr. Alva H. Suckoo Jr.: Wow.

Hon. V. Arden McLean, Leader of the Opposition:

- “Advertisements are being run on the television— doing likewise.” we don’t have that now, closed it down—

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition:

- — Public funds are being used to hold public meetings which serve not to educate the public but only to provide a platform for the proponents of the OMOV initiative and the Opposition to be berated by the Premier and his cohorts and for the electorate to be urged to “Vote NO”. Some of these meetings are being broadcasted live on Radio Cayman, again presumably being paid for from the public’s purse. At some meetings, e.g. the public meeting held in Cayman Brac, over the past weekend, the public is being treated to meals, again paid for from the public purse.
- “The government has engaged the services of well-known Caymanian boxer Charles Whittaker in an extensive marketing campaign for the “No” vote. This includes a number of television advertisements produced using government resources, including the Dalmain Ebanks Boxing Gym. Mr. Whittaker himself is and has been for years the recipient of a significant government stipend to enable him to pursue his craft. Additionally, he has received government sponsorship over the years amounting to hundreds of thousands of dollars to assist him with the training and the promotion of various boxing events. He continues to receive both a stipend and other financial assistance from government.”

Does that not sound familiar? Right now.

An. Hon. Member: Mm-hmm

Mr. Kenneth V. Bryan, Elected Member for George Town Central: It’s the same thing.

Hon. V. Arden McLean, Leader of the Opposition:

“The foregoing appears to amount to the abuse of office and misuse of public funds and may well also amount to election offences. This is not a case of the government using public funds for the purposes of an educational campaign at the conclusion at which the electorate will be better able to decide how to vote on referendum day. This is the flagrant abuse of the Office of the Premier and the blatant misuse of public funds to pursue the agenda of the UDP which has vehemently opposed to the principles of OMOV and adoption of single-member constituencies. I therefore request that these matters be investigated and appropriate action be taken, following your findings.”

It came from the Honourable Alden McLaughlin.

Mr. Kenneth V. Bryan: What did you just say?

Hon. V. Arden McLean, Leader of the Opposition: Leader of the Opposition at that time.

Mr. Alva H. Suckoo Jr.: Who?

Mr. Christopher S. Saunders: Who?

Hon. V. Arden McLean, Leader of the Opposition: The Honourable Alden McLaughlin, Leader of the Opposition, MBE, JP, MLA.

Mr. Speaker, I want to stick in another one that occurred on Friday, 20th July 2012. Mr. Speaker, I tell *unna*, I have a memory like an elephant and I save every paper— I am a hoarder. A statement by the Honourable Alden McLaughlin, Leader of the Opposition, M.B.E., J.P., M.L.A., Political Leader of the PPM, Friday 20th July, 2012.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Because we can’t be coming here and putting our own halos around our heads, man.

“At the referendum on Wednesday last, 65% of Caymanians who voted made plain that they support a change of the current electoral system by the implementation of single-member constituencies and the adoption of the principle of one person one vote. It is therefore disingenuous and grossly misleading for the Premier to say, as he did on Thursday evening, that the majority of voters voted No in the referendum.

In truth and in fact the Yes votes outstripped the No votes by 3 to 1. The reality is that if

the Premier had not manipulated the referendum process by creating an artificially high bar of 50% + 1 of registered voters, instead 50% + 1 of votes cast, the referendum would have succeeded. It would have succeeded despite the fact that the Government employed the full machinery of the Office of the Premier and utilised public funds in an expensive advertising campaign to persuade the electorate to vote No.

"The statement made by the Premier on Thursday evening dismissing the wishes of 65% of voters in the referendum demonstrates the absolute disregard and utter contempt which the UDP administration has for the views of the voting public and how out of touch the government is with the issues that affect and concern Caymanians.

"The Premier says that he doesn't believe that single-member constituencies are good for the country and thus it doesn't matter to him that 65% of those who voted on Wednesday last believe that single-member constituencies is the way to go; however, belatedly he does seem to have realised that the current system of some single-member and some multi-member constituencies is inequitable so, he is now proposing a different scheme of multi-member constituencies but this is not what Caymanians said they want this past Wednesday. Voters said by a significant majority that they want single-member constituencies and I call on the Premier and his Government to respect the voice of the people and move swiftly to implement single-member constituencies for the Cayman Islands in time for the General Elections in May of next year.

We do not need more discussion, we do not need more committees, we do not need more campaigning or another referendum. All that is required is a simple amendment to the Elections Law. Come on Mr. Premier, you know what is right. You know what the people want. Just do it!"

Mr. Alva H. Suckoo Jr.: Who wrote that?

Mr. Kenneth V. Bryan: Who wrote that?

Hon. V. Arden McLean, Leader of the Opposition: I said that from the beginning. The Honourable Alden McLaughlin, M.B.E., J.P., M.L.A., Leader of the Opposition, Political Leader of PPM.

Now, we all stand by what we believe but don't tell me it doesn't involve you. You know how it goes. I keep telling you all that real estate does not belong to me; that real estate belongs to the people of East End in particular and the people of this country in general. The people of East End in particular and the people of this country in general sent me to occupy it for a period of four years at a time. I am in it now. I am in it now! And I am going to advocate on their behalf.

If I am wrong, then stop me but I am not coming here and telling lies on anybody or I will try not to. When

the people of East End and this country say, *Arden it is time for you to go home now*, I am going home, unlike many in here who do not want to go.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: I will go because I know I can walk throughout this country and look every Caymanian, every resident, straight in the eye and justify my actions while occupying the seat in here. I know that. I ask no questions about that. Nobody needs to remind me of it.

Mr. Speaker, the Premier is now justifying the excessive expenditures by conflating all those expenditures with the mandate he claims the Government received from the people.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: You all did? Well, I did my research like everybody else did. Please allow me, Mr. Speaker, to enlighten all of them on how this works. He likes laying Manifestos; I will lay them too.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: Do you think I cannot anticipate people?

Mr. Speaker, only once has the PPM received a mandate in this country and that was in 2005. At that time, there were no discussions surrounding the building of any piers; manifesto did not even mention it. The facts are that the PPM lost the election—

The Premier, Hon. Alden McLaughlin: Mr. Speaker. Mr. Speaker, a point of order, sir.

Point of Order

The Speaker: The Honourable Premier, the point of order?

The Premier, Hon. Alden McLaughlin: What the Honourable Member just said is factually incorrect. The Progressives government won 10 seats in the 2013 election. As far as I know, 10 is the majority of 19.

[Inaudible interjection]

The Speaker: He asked for the withdrawal of the statement— or are you making a correction to the statement?

The Premier, Hon. Alden McLaughlin: I figure the Member just made an error, so I am just saying we had 10 of the 19 seats. Mrs. Juliana O'Connor-Connolly joined the party the day after the elections; we had 9 of

19 seats to that point. As far as I know, 10 is the majority of 19.

The Speaker: He is making a correction.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, he killed the argument. His own argument. I never heard anybody advance in an argument then come back and kill it.

Mr. Speaker, there were 18 members of the Legislative Assembly in 2013. We increased it by three for the 2013 general election after the Constitution was put in place in November, 2009. You had nine of the 18 seats; that is 50 per cent.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Oh yeah, nine plus one ten? Anywhere you go in the world, but you carried it on afterwards.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: No, the point is not made and I will belabour it too.

Mr. Speaker, number of elected members and nominated candidates per electoral district and nationwide: six; 18 in the full country— 56 ran. These are reports.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: I walk with it in my back pocket.

Tabulation and announcements of results; final result of the general election 2013:

- People's Progressive Movement (PPM) — 9
- United Democratic Party (UDP) — 3
- Independent candidates endorsed by the Coalition for Cayman (C4C) — 3
- Independent candidates — 2 (that just happened to be Mr. Miller and I)
- People's National Alliance (PNA) — 1

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Oh no, one; and who was that, the now-Honourable Minister for Education. He's right; Saturday she went over there. She jumped over there on Saturday. He has never received a mandate since 2005 when I was there.

Mr. Speaker, you know, they come up with these numbers and know that I have been studying them all the time. I do not come in here with this thing in a vacuum, you know.

Mr. Speaker, when we did put cruise-berthing facility in our Manifesto as PPM in 2009, we lost the government— only five of us survived.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: When he did it in 2013 he lost. He could not receive a mandate. It got worse after he repeated in 2017— he only got seven seats then.

No, no, no, no. Don't— Mr Speaker, You all have to stop trying to stop me on these things and I want to lay this on the Table so that they can see that it was not in there in 2005. The same way he did the 2013-2017, he did not receive a mandate to do anything on any cruise berthing facility. As a matter of fact, Mr. Speaker, there is a coalition. Some of the Members over there who won in 2017 spent a whole decade campaigning against cruise berthing facilities.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: A whole decade. The Member for Prospect, the Member for George Town West, they all did.

The Speaker: The honourable Member for George Town West.

Point of Order

Mr. David C. Wight, Elected Member for George Town West: Mr. Speaker, a point of order.

I have never campaigned against any port. I have never!

Hon. V. Arden McLean, Leader of the Opposition: He wants clarification. That's what he is looking for.

[Crosstalk]

The Speaker: He has made—

Mr. David C. Wight: I didn't campaign against any port, Mr. Speaker.

The Speaker: You have made your—

Mr. David C. Wight: I only campaigned against the process but never against the port.

The Speaker: Honourable Member.

Mr. David C. Wight: No, no. I have always campaigned for a port.

The Speaker: You have your point, you have your point.

Mr. David C. Wight: Thank you.

The Speaker: I think he is clarifying, Honourable Leader of the Opposition, and I think we can take it as a clarification.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, that's my good friend. I don't want to be on the wrong side of him. We are all good friends. I don't want to be on the wrong side of him because I don't like it, but I know when you were there he was hot and heavy on your heel, opposing.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: So, you were opposing his port too?

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Oh, alright.

[Pause]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, we have to move on, but before I move on, just let me say, they were all a part of that campaign beating you up about my *[inaudible]* 15:46:51, you know? People have short memories.

The Speaker: You know that the Speaker cannot speak.

Hon. V. Arden McLean, Leader of the Opposition: Yeah, I know, sir. I will fix you up. I will fix you up.

[Laughter]

The Speaker: I am depending on somebody to defend me somehow.

[Laughter]

An. Hon. Member: Soon come.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I hear the Premier lamenting that "this is a democratically elected Government." Really? What we have is a Coalition-Government made up of democratically elected representatives, but we don't have any democratically elected Government. No, no, no. You have to stop that there, now.

[Desk thumping]

Hon. V. Arden McLean, Leader of the Opposition: Everybody coming with their land-basket and, Mr. Speaker, it can happen to any of us. Everybody comes, *we need to form a government*, but everybody comes

holding out their hand. Not in the sense that we are talking about money or anything, Mr. Speaker, but everyone wants something and everyone brings something to the table.

I don't know what the Member for Prospect's demands were, if they were not to build a port, but I know if I had opposed it that long it would have been a part of my agreement coming in. I don't know, but let's not try to fool the people that we are— what's the word the Speaker used to use? Lily-white; we are not lily-white, every one of us.

Mr. Speaker, the Government has at long-last conceded, only by virtue of the people getting their 25 per cent, to trigger the referendum. They have conceded and come to this House and proposed the vote for December 19th. Let me further quote the Premier on this very matter from a different time that is aptly recorded in our history.

On May 10th, 2012, the Premier, while being the Leader of the Opposition is recorded as saying:

"They know very well, Madam Speaker, that a referendum called mid-term is likely to see a significantly less number of voters turn out at the polls than would be the case for a general election. I can tell you, Madam Speaker, because I have done the numbers, that while 79.9 per cent of the electorate voted in the elections in May 2009, only 73.4 per cent actually voted in the referendum— even though the referendum was held at the same time and in the same place. We just had to go through from one room to another to vote so some 12,000-plus people voted in the election for candidates, and only 11,000 plus voted in the referendum.

A referendum called mid-term where people don't have the added incentive of turning out to vote for the candidates of their choice is going to see a significantly lower percentage of the electorate turn out and so, Madam Speaker, when the Government insists on this artificially high bar of 50 per cent plus of the electorate to let the referendum question succeed, they are setting it up for failure."

[Desk thumping]

Hon. V. Arden McLean, Leader of the Opposition: He also said on that same day—

The Premier, Hon. Alden McLaughlin: Mr. Speaker.

The Speaker: The Honourable Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker—

The Speaker: The Honourable Leader of the Opposition—

Hon. V. Arden McLean, Leader of the Opposition: Is he getting up on a point of order?

The Speaker: He is rising on a point of order.

Point of Order

The Premier, Hon. Alden McLaughlin: It is a point of order.

The Member is deliberately misleading the House by suggesting, the way that he is presenting this point, that the Government has a choice about the 50 per cent plus one requirement of Section 70 of the Constitution. The Government has no choice. For it to be binding, it requires 50 per cent plus one because the Constitution said so, not because the Government says so. That was not the case with the referendum on OMOV, which was a government-initiated referendum, not a people-initiated referendum.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I know he was going to say that, do you think I didn't anticipate him? But, I am ready for him again. Just let me finish it.

Mr. Speaker, I am merely reading the quote from the Hansards, okay? That is what he said on that particular time on that particular matter; OMOV referendum.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: No, I am not inferring anything.

The Premier, Hon. Alden McLaughlin: Yes.

Hon. V. Arden McLean, Leader of the Opposition: No, no, no, no.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, he also said on that same day:

"What the Government is not entitled to do is to take the people's initiative, to take the people's question, which the people want answered, make it their own, draft a Bill which has all sorts of provisions in it— which are going to make it incredibly difficult for the question to get an affirmative answer— take the State's resources, use the Office of Premier, make national radio and television addresses telling people what's all wrong with single-member constituencies, what's wrong with one man, one vote, why they shouldn't do it, how it's going to be disastrous in consequence for the Cayman Islands; that's what is not allowed and that is the distinction between the Constitutional Modernisation referendum and the one that is happening now." Agreed.

"Madam Speaker, this is just wrong, wrong, wrong! And they may argue as much as they wish

but there is really no right way to do the wrong thing and, they can dress it up, parade it down here as much as they wish under the guise that this is somehow acceding to the will of the people. The Premier said in his contribution this morning that they were endeavouring to make the process fair. Well, well, well, if this is fair, then I can tell you this, Madam Speaker, the Honourable Premier has a very twisted view of what "fair" means."

That is what I want to talk about. That's what I want to talk about— about the fairness of what has transpired here over the last year.

[Desk thumping]

Hon. V. Arden McLean, Leader of the Opposition: Does it sound familiar?

[Desk thumping]

Hon. V. Arden McLean, Leader of the Opposition: Do not come tell me that I am mixing it up, I am not mixing up. At that time, it was convenient to say that; that is what I want the Premier to say now: it is unfair. That is all I am asking, Mr. Premier so, I do not know what he jumped up for.

Mr. Speaker, do you want to take them? I would like to lay these on the Table. Since he laid two, I want to lay the other two.

The Speaker: Member, if you are asking for the document to be laid on the Table, so ordered.

Hon. V. Arden McLean, Leader of the Opposition: Okay, thank you. Put them over there for me.

Mr. Speaker, I know the Premier said that I flip-flop and all those things. He has accused me of flip-flopping; he sounds like a yo-yo. Up and down. Mr. Speaker, no such thing, sir. I turned 18 in September and by December I was gone. I have been there, seen it, got a t-shirt and a cap. It has always been my view that if this country is going to go into such an infrastructure, it must be justified.

Mr. Speaker, when you were in charge and my good friend CG was the head person with the dock on two occasions (2002-2005 then 2009-2013), I always had an audience when I wanted it or when he wanted certain aspects of advice he would call me, and I would give him the best advice I had available. All that I knew, I gave him. That is the last time I had any talk about this, you know, Mr. Speaker. That is the last time. I do not know if you were aware of it then or if he was consulting with you and bringing it back or it would go through one ear and come out the other, but at least he asked me.

Mr. Speaker, under the leadership of the Member for North Side, he was Leader of the Opposition in July 2017, all of us with the exception of the Member for Bodden Town West went to Cabinet to make

presentations on behalf of our constituents as prescribed by the Constitution. Part of that presentation included the then Leader of the Opposition presenting to Cabinet a list of things that we would like to be briefed on, and it included the cruise-berthing facility. It also included things like the airport and the dump and other matters that are of national interest.

I cannot say that meetings have not been held, but I have no knowledge of government sitting down and talking with us about it so, Mr. Speaker, and my fellow Caymanians and residents, pardon me if I am mad. Pardon me if I say I am not involved in the governance of your country; pardon me if I say you should get involved and go do another initiative tomorrow morning, because I do not know. They do not tell me anything or ask me anything.

Mr. Speaker, you know what that is? It is the lack of political maturity in this country.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Say what you want about the UDP Administration regardless of who headed it. At least it would call you if you were not represented in Cabinet and give you—I don't know whether it was right or wrong, but they would give you the promises. I am being factual here, Mr. Speaker.

I should say, Mr. Speaker, that the Deputy Premier has made promises to me individually, and I think some of these individually as well, that he would brief us on this port facility; they have not arranged anything. Nothing has been arranged—not for me anyway. I do not know what caused that.

Mr. Speaker, I agree with the Attorney General. He and I spoke a number of times in the last twenty years, too often to mention, I guess; but one of the things we discussed quite often is the provision of committees. We have always wondered why we do not go to committee and I am not saying this would necessarily be a committee, but what it does is get the Members of Parliament together.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Joint select committees, yes. What it does is diffuse all of the rhetoric in that, you cannot get up here and beat up the government if you agree on a particular law or whatever the case may be in joint select committee. I said to the Attorney General on those occasions, “the only thing missing out of your idea is political maturity.” We are not ready for that yet. We want the people of this country to follow blindly, and spend \$200 million.

Mind you, Mr. Speaker, this is not the biggest project this government has undertaken, eh? Cayman Airways was plenty more: \$90 million apiece for four planes and you cannot even get birds' nests built on them.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: Even birds won't fly in them.

Mr. Speaker, I know there is a need for us to work together, but Mr. Speaker, the only time I hear there is a need to work together is, “*Arden, you really need to work with the government*”. I never hear anyone saying the government needs to work with the Opposition.

An Hon. Member: Amen.

[Desk thumping and inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: And, Mr. Speaker, I have a pretty good relationship with all of them. I have a relationship with them, you know; and I respect them and I can say that they have always shown me due respect but Mr. Speaker, when it comes to my expertise, the only one that ever asked me was the Minister for Works. He called me one morning while and said he walked my way on the roads and we talked about the roads and stuff—and other times as well.

Mr. Speaker, there is some serious brain power over here but it is never consulted; it is never asked for. We have the young gentleman here, the accountant, the Member for Bodden Town West; the former Leader of the Opposition, Pharmacist or hospital administrator. When last was he consulted on that?

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: So, when the country blames me for getting up in here rehashing all of these hypocritical positions that I see, you need to walk a mile in my shoes before you criticise me. You see my glory, you don't know my story.

The Premier knows my capabilities; do you think he called me? He doesn't call me. One thing you can say about the Deputy is that if you call him, he can be in Timbuktu, he is going to call you back.

An. Hon. Member: True.

Hon. V. Arden McLean, Leader of the Opposition: Yeah, yeah, yeah. Roy too, the Minister of Finance.

The Speaker: Member—

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker—

The Speaker: I think you have about 10 minutes.

Hon. V. Arden McLean, Leader of the Opposition: You are joking. No, it cannot be that. Mr. Speaker, who

is the clock watcher here? Somebody isn't keeping good one!

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: What?

Mr. Kenneth V. Bryan: Fifteen minutes, Mr. Leader; fifteen.
[Pause]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I have plenty on this side, who are going to speak on this matter but it has to be more than ten minutes. We came in here minutes to 3:00, Mr. Speaker, that's one hour. I was not standing here for one hour. I was not—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: You stay out of this.

Mr. Speaker, I was not standing here for the last hour and twenty minutes, no way.

An. Hon. Member: You have ten minutes left.

Hon. V. Arden McLean, Leader of the Opposition: When I started here... You have a stopwatch or what? You stay out of this.

When I started, Mr. Speaker, there is no way I spoke for an hour.

An. Hon. Member: More than.

The Speaker: Honourable Member, you are taking up your time.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I am going to move now that you intercede into getting a stop clock that you can press the button inside these Chambers, just like they do in all other chamber, because it could very well be orchestrated to cut my time down.

The Speaker: Honourable Member, a while ago I checked with the Clerk, she keeps the time, and at that point, it was ten minutes to 4:00 and so, I interrupted at 4:05 and that was when I said you had ten minutes left. At that point the Clerk said that you had twenty-five minutes left— at ten minutes to 4:00 so, I suggest, Honourable Leader of the Opposition, don't get side tracked.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I know everybody can tell time once they are watching the clock and they can do subtraction and

addition and come up with the time that we say it was. I don't know what it said.

Since I have no more time—

The Speaker: According to the Clerk, you have up until 4:15 pm and of course, Standing Orders does allow for a brief—

Hon. V. Arden McLean, Leader of the Opposition: Ten minutes more.

The Speaker: Not ten. No, no, no, no.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, let me just say this much: The latest tactic by this Government, like they said CPR was doing it, them too. The latest one is what the Premier talked about, telling people not to come out and that is a no vote.

Mr. Speaker, I do not subscribe to what people are saying that if people come out to the polls the government will know that you voted no; that is rubbish. I am not joining into it. I am not condoning that kind of rubbish, because it causes problems in our country. Any country where you start that, your election process is gone out of the window. Your democratic process has gone out of the window. I am not subscribing to it. The Premier, in that same interview that they said he stated that, said to the interviewer that it would be a small miracle— and he almost repeated that today in the papers— if the people win this Referendum.

Mr. Speaker, the 19th of December is not a good time but so be it, they have the power. Miracles? Miracles? Only God creates them, as far as I remember and we are all very knowledgeable of at least two: he sent His son through a virgin woman and then, at a later stage, when we as human beings crucified him, nailed him to the cross and killed him, He took him out of a tomb and brought it back home with Him so there are two miracles that we know about and celebrate— one during Christmas and one during Easter. We are a country founded on Christian beliefs, so all of us know that.

The Premier says it will be a small miracle? This is the only time in Caymanians' lives that they will be given the opportunity to create a miracle and it is Christmas time; and we talk about the manger and the hay, but we all also talk about the swaddling clothes. He called for them to vote, yes. I am calling for them to give him a miracle. Wrap it up in swaddling clothes and present it to him just before Christmas. That is what he needs now. He needs to watch what he says.

He started with Divine Intervention in 2007— it happened. Be careful what you ask for. When it comes, you might not be able to handle it. Then he told the people they could un-verify their names, nobody went. Now he is calling for a miracle. Agriculture department has

plenty bales of hay, if he needs to create a manger, ALT got plenty wood. Let us create the manger, get the hay, wrap it in swaddling clothes and present it to the Premier. It is time now, man. Christmas miracle; all he is doing is disrupting our little Christmas getaways by having it during that period.

Mr. Speaker, there is much more that needs to be done and said, Mr. Speaker; for instance, that law that the government has brought here is flawed in so many places. I certainly will point them out in the Committee Stage but, in this zeal to mix all of these votes together, we have messed it up.

Now, Mr. Speaker, the Premier and his cohorts, especially his PA, are sending out press releases saying that this was done in 2009. That is true. It was done in 2009, but there are a couple things they are leaving out. The country was in a unique situation at the time. We were having an election and a referendum at the same time, so you couldn't count both the referendum, and the election for positions in this Parliament in the same building so they separated them—I think they took them to the Family Life Centre; but Mr. Speaker, they counted them and reported them by constituencies, by electoral districts.

Mr. Speaker, that is a fact. That is what is being left out of this equation. I don't know why the other Members of this coalition Government are being led down this road. I want to know what the people of East End are saying. I want to know if they are saying to me that they are supporting it, because if they are, pass me the shovel and I will dig the first hole out there.

How can they sit down here and allow the front bench to say that they want to mix all these votes up? It is not done any place else. Brexit—we know which constituency voted for what; London was the only one that did not vote to leave the EU [European Union]. We know that. How do we know that? They were counted individually! If you count it by constituencies, you will have the results by evening!

Mr. Speaker, I suspect that we are not going to start counting until 12 o'clock that night. By the time you bring over those from Cayman Brac and Little Cayman. Remember in 2009, they did not start until 10 o'clock or 12 o'clock the following day, and it took two days to get the results. Have you all forgotten all of this? This is an emotive issue; let us find out what the people in George Town are saying. Did they vote for it? Then that is their prerogative. Did they vote against it? If they voted against it, at the very least, the Premier and his Government need to consider that and see how they can best ameliorate that. Come on, Mr. Speaker, we don't know. If you dump all of these into one box, you don't know. You will never know which of our people are supporting the project and who is not but, I hope, my fervent hope is that after reading that—

The Speaker: Are you winding up, Honourable Member?

Hon. V. Arden McLean, Leader of the Opposition: Yes sir, yes sir, yes sir. After reading that press release from the Premier in 2012, my hope is that I, too, can write a similar, that the majority of the people voted against, and I can tell him, "do not make this dock." That was what he told your good self, despite it not reaching the threshold, Mr. Speaker.

Mr. Speaker, I am not going to go out there and hold on to any tree like I said. There is a different method to building this dock; there are different methods. Baird, that the Premier is promoting here, one of their proposals was to put it out on deeper water and split it off out there—but the report also said that the cruise people in Florida rejected it because passengers were going to have to walk too far, and there is a simple answer: little carts like in Disney World. You keep driving them around and around; those who want to jump on/off do, and those who want to, walk to shore.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I did not hear what he said, sir?

The Speaker: You have reached two hours and five minutes. I would appreciate you closing the debate.

Hon. V. Arden McLean, Leader of the Opposition: Okay, sir. I will.

Mr. Speaker, I thank you. I look forward to the rest of the debate and hope the Members do not take it personal. This is nothing personal, it is about debate and counter-debate. It is about one person's opinion versus the other. That is all it is. Just the democratic process, the majority wins. The government will have its say, but the Opposition must not be curtailed in its say. The Government can have its way, but the Opposition must never be curtailed in its say.

Thank you very much.

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

The Honourable Deputy Leader of the Opposition.

Hon. Alva H. Suckoo, Jr., Deputy Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I was hoping that we would have heard from a Member on the other side, but it looks like they are either going to wait us out or they are not going to speak.

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr., Deputy Leader of the Opposition: Mr. Speaker, on the way here, after watching

the weekend's developments and paying close attention, I hoped that maybe when the government had seen the legal opinion obtained by the CPR Group, we would have had a change of attitude and more of a sense of cooperation coming from the government, because what I read in that legal opinion— and I am no lawyer or judge, Mr. Speaker— was quite convincing and compelling to me.

I thought the government would have taken heed; but, Mr. Speaker, and I am quite saddened by it to be honest, I arrived to, again, listen to the Honourable Premier give a speech that, in my opinion, is not very "Premier-like".

Mr. Speaker, this people-initiated referendum is a first in our democracy. It should be paid close attention to, but it also should have been celebrated and welcomed by Members of this Legislature. Instead, I heard the Premier launching another assault against the CPR group— I see him making notes already— who are citizens in this country.

They are not representatives like us, who can come here and battle it out and take each other on, on a level playing field; we have a citizen group that has exercised the rights given to them by our Constitution, and to hear the level of anger aimed at them by a Leader in this country, is troubling— especially when you consider that group is now 5,000-plus strong. Five thousand-plus Caymanians joined that group, signed a petition, and asked us, their elected representatives, to listen to them, so none of us have the right to throw anything back at them.

We are now obliged, under the Constitution, to listen and act, so I am disappointed, Mr. Speaker. CPR went out and gathered signatures, and I know because I assisted them— not as much as I would have wanted to, but I did assist; and then went around with a petition that simply asked that the proposed cruise berthing facility, a matter of national importance, be decided solely by referendum pursuant to the Constitution. That was it.

Mr. Speaker, I think that the CPR group should be congratulated and celebrated. They are an example that our democracy is working, and they have proven it to us, because I hear so many Caymanians nowadays, and the Leader of the Opposition alluded to it earlier, who have become discouraged. Who have lost hope and have said to me, and I have to convince them otherwise, that they don't see the point of voting at all because they don't know how effective it will be to change anything— and Mr. Speaker, I know that attitude is dangerous because when you don't vote, you don't get any change.

I know that having become a part of the system, but it is not always easy to convince people of it. Some people have lost their confidence in us but, Mr. Speaker, at the very least, 5,000-plus people still believe in democracy in this country, and it is something that should be celebrated. We all should congratulate them, not attack them.

It is clear from the Premier's comments, that the Government does not feel the same way I do. I cannot force them to do so, I can only speak for myself and on behalf of my colleagues on this side, but the accusations and derogatory comments I have heard, twisting the facts and outright attacks that I have witnessed, are uncalled for.

Earlier, I heard the Premier make some comments in his debate and, while I am not going to be drawn into a back and forth or get thrown off-track with my debate, I will respond to some of them; but I want to say that I do hope and pray, because it seems to be a developing ailment. The higher you go into politics, the more convenient and creative you become with your explanations.

The Premier talked about when I was one of those smiling faces on his manifesto, Mr. Speaker, and I remembered smiling for the camera and believing, so very much, that the government that I was joining; the group that I was going to campaign with, and hopefully, become the next government, was going to stand for all the things I believed in— and for a time, they did; but there are reasons I left and it is on days like today, when I see the attitude that is coming across against the people of this country, that I am so sorely disappointed, Mr. Speaker.

Hour of Interruption— 4:30pm

Suspension of Standing Order 10(2)

The Speaker: Honourable Member, we have reached the hour of interruption, and I call on the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Thank you, Mr. Speaker.

Mr. Speaker, I move the suspension of standing order 10(2) in order that the business of the House may continue beyond the hour of interruption.

The Speaker: The question is that the standing orders be suspended in order for the business of the House to continue beyond the hour of 4:30 pm.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: Honourable Member, I am going to take a fifteen minute interruption at this time. We will come back at 4:45pm.

Proceedings suspended at 4:33 pm

Proceedings resumed at 5:08 pm

The Speaker: Proceedings are resumed.
Please be seated.

The Honourable Deputy Leader of the Opposition continuing.

Hon. Alva H. Suckoo, Jr.: Thank you, Mr. Speaker.

Before we took the break, I was contemplating whether to respond to some of the Honourable Premier's statements. There are one or two that I cannot let pass us by without a response. In particular, when he mentioned that I was one of those individuals who were part of his 2013 team, who eventually became part of the government when we created the Coalition Government back in 2013— but, Mr. Speaker, I was not the only one who took that position.

I refer to an article that was, again, on Cayman News Service (CNS) on the 16th January, 2019, titled *"Panton warns of tourism conflict"*. I am not going to Table it, Mr. Speaker, I just want to read a section of it; would you still want a copy?

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr.: While we are getting copies, Mr. Speaker, I will say, in addition to the point I am about to make, that the reverse has happened in the government side. We have one Member who, it is no secret, campaigned strongly for quite some time with concerns about this proposed project.

I think for many years, the Member for Prospect made his objections clear, and I do not want to sound like a stuck record, but it does stand out in my mind, Mr. Speaker, that the Member has now had an epiphany and has changed his position. I don't know what has done that, I am sure he will speak for himself, however, he clearly has had access to information that has changed his mind on the project. I am not going to beat up on him for his opinion; it is his opinion and he is entitled to it.

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr.: However, Mr. Speaker, I do take some offence to the Premier pointing me out as someone who was on his side and, as he said earlier, part of his team, and one of the smiling faces who were part of the mandate he received from the people which we have now heard, was not really a mandate.

Mr. Speaker, I, along with other colleagues that were in the Progressives at the time had concerns and that, again, is no secret. There were members who, I believe, slowed down the progression of this project because they had so many questions— I certainly had some when I was in Caucus; but there were Ministers who served in Cabinet, who had concerns. It is my opinion that is why this project has taken so long to come around. It's because I was not party to those discussions in Cabinet, but I was party to discussions in Caucus and personal discussions with those Members. I

am not going to speak out of school, Mr. Speaker, but it is very unfair for the Premier to single me out as having left his organisation.

I guess he is implying that because I am over here now, I have to oppose the project. Mr. Speaker, I had concerns back then. I remember going on a submarine tour of George Town Harbour, organised by then-Minister Panton for us to see exactly what would be dredged out there, and I saw enough during that excursion to give me cause for concern; so when the Premier implies that because I am over here I have a change of heart, it is not merely because I am opposition and I am opposing, Mr. Speaker.

I have always put forward the position that things could have been done differently, which may have attracted my support but with what I see here, what I have seen so far, and especially what has transpired in the last few months, I have to absolutely say, *"No, I cannot support this project"* and I am encouraging everyone I talk to, to vote No. Let there be no mistake, Mr. Speaker, I have taken a position. Some may say that is risky, but I believe that when you are elected by the people you are elected to listen, but also for your leadership abilities and sometimes you have to lead.

Mr. Speaker, I have the article in my hand now. With your permission, I would like to read just a few short paragraphs.

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr.: Well, Mr. Speaker, I will be careful what I read but I am reading quotes; if they quoted him incorrectly, I am sure he would have corrected them by now.

I will start with a paragraph that quotes him as saying, *"'I have concerns about capacity,' he said. 'There is a finite number of visitors we can cope with before we create a conflict between the tourism strategies.' Panton spoke publicly about the port this week for the first time when he appeared on Crosstalk, Rooster's breakfast call-in show, and surprised many people by appearing to give his backing to the Cruise Port Referendum campaign.*

"Speaking to CNS shortly after his radio appearance, he said that it was 'completely legitimate' for those who believe in a referendum to try to get the numbers required but he fell short of committing his own name to the cause. Panton said government should not be worried about a referendum because it would give them a very clear indication of the public sentiment about the project. He said he does not see supporting the democratic process as an expression of opposition to the project, and while he accepts that it was motivated by those who are opposed, it still 'doesn't mean that it won't have value' for Cabinet."

Mr. Speaker, you cannot argue with that logic. What a former Minister in that government is saying, is that this government should not be afraid or concerned

about conducting a referendum on this topic because the end result will be the will of the people and after all, Mr. Speaker, that is why we are here. We are at the will of the people so, if a former member of the Premier's Cabinet can be so logical in his arguments and come out and make those points, I do not see why the Premier has to single out anybody over here simply for being part of his government at some point in time.

Mr. Speaker, I will move on; as I said, I am sure the Member for Prospect will explain his position. I know he probably expected me to stand here and accuse him of all nature of badness, but I will leave it to his individual conscience, as I will leave it to everybody else's, but I am sure that things I will say later on will make Members on that side think deeply.

Mr. Speaker, I heard the Premier talking about CPR taking a year to gather signatures and, again, I think that those comments are quite unfair. He said he wished we had a Referendum Law because then they would have been forced to do it in a much shorter space of time. Well, that, again, is common sense, Mr. Speaker. If you are operating, and there is no imposed deadline, then you are going to do things in your own timeframe, as they are convenient to you, but if someone imposes a deadline on you, then you are going to speed things up.

What he forgot to mention, is that while the people were out gathering signatures, his government was busy spending government funds campaigning against them.

[Desk thumping]

Hon. Alva H. Suckoo, Jr.: Not a referendum, Mr. Speaker—a petition to launch a referendum that is protected by the Constitution. These were people who exercised their democratic right per Section 70 of our Constitution and the government launched a Public Relations (PR) campaign against them? And we think that is okay? That is one of the things I want the Members on that side to think about.

It is no wonder it took a year; it probably should have taken longer, considering that during that time as well, when we started to verify signatures, the Premier then announced that people could 'un-verify' and then they went through this lengthy process of verification forcing all 5,000 plus people to sign their name a second time.

Then he talks about the fact that we do not have a Referendum Law is a good thing; the fact that we do not have a Referendum Law is why we had to go through that process. He should ask himself why it has taken this long for the government to bring a Referendum Law. That is what he should be asking, but, as usual, the narcissistic comments come across blaming everyone else but yourself.

Mr. Speaker, I thought I would get up today and be in a position to support this Bill. A Bill that I think is inspired by the courage and determination of a group

of dedicated citizens, but Mr. Speaker, with all honesty and sincerity, I cannot support this Bill in the form that it is in. I am going to go into some of the reasons why, right down to the very conflict with the constitution but, for now Mr. Speaker, there is absolutely no way, I will be voting for this Bill and, I don't think I will be offending anyone who wants this referendum, when they understand my reasons.

Mr. Speaker, the Government held a public meeting and invited the individuals, or entities who are bidding on the project to attend that public information meeting, which was supposed to be between constituents and their elected representatives. The bid had not been won yet. They were still in the procurement phase. They were still at that phase where no decision had been made, yet you had major players sitting on the stage, next to the Minister, talking to the public. How is that best practice? How is that good for the bidding process? There is absolutely no way, Mr. Speaker, if I am bidding on a contract, if I have a company and I am bidding on a contract, that I should be out hand in hand with the individuals who are going to decide on the contract. If such happened with any other Government contract, people would be up in arms—people would be crying corruption.

At that meeting, we were promised a list of jobs which didn't materialise for quite some time. We had members of the public who were very concerned, who were trying to get answers, who were denied information, and this is how the Government decided to treat its own people. This is the process, the pain, they put them through, Mr. Speaker.

Mr. Speaker, I believe that if citizens in a country are engaging in a right that is enshrined in the constitution, and the Government takes an active role in working against those people, it could be a violation of our Bill of Rights.

In particular, Mr. Speaker, Section 11, talks about expression:

11. (1) No person shall be hindered by government in the enjoyment of his or her freedom of expression, which includes freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his or her correspondence or other means of communication."

Mr. Speaker, we have to be careful. The Government has to be careful how it goes about dealing with the citizens in this country, because they do have rights. Then I heard familiar civil servant voices on radio ads. I know that civil servants are obligated to carry out the policy directions of the Government, but in my opinion, I think that was, really, pushing it a bit too far. You really cannot engage civil servants to go out and get into a political fight. That is my opinion.

Mr. Speaker, we had a lengthy session in Cayman Brac; we had a very strong debate, and concerns

came up then, about the potential impact on stay-over tourism. The Government's own reports warned that if we continue down this road, there is a risk of overcrowding tourist attractions and a risk of infrastructure issues. We simply have a maximum capacity because we are three islands, limited square miles, and you can only pack so many people in. After a point, you are going to have an over-crowding, over-capacity issue to deal with; and it would be fine if we had the ability to suddenly increase infrastructure, but Mr. Speaker, we are already struggling with roads, traffic, generally pedestrian congestion in George Town.

Just think about it: if we increase the number of tourists walking around in George Town, where are those people going to use the bathroom, Mr. Speaker? Such simple questions we have not really thought about. We are going to have infrastructure problems, and so far, I do not see any real tie-in between infrastructure development and this project.

We also have safety concerns with local attractions, Mr. Speaker. Stingray City is oftentimes overcrowded; we have had near serious accidents with boats; we have wildlife threatened by too many people interacting with them at one time. Where are we going to put all these extra people? And then, you have the stay-over tourists who are complaining about the overcrowding on the beaches and the attractions. Mr. Speaker, we became attractive to those people because we offered a unique tourism experience.

We were a destination where it was quiet, peaceful— not the hyped type of attraction you would find in other locations. Cayman was more low-key, quiet, relaxed; and now we seem to be buying into this mass-tourism model. We are doing it, but in my opinion, we are risking the most lucrative part of our tourism product which is the stay-over. We should be protecting it at all costs.

We do have some capacity in the Eastern districts, Mr. Speaker. We have discussed it with the Minister, and perhaps that is where we should have looked if we wanted to increase the number of cruise tourists coming to this island; but so far, I see very little focus on the Eastern districts, so I can only assume that the focus is going to remain where it is. I know that the Minister worked on a tourism plan and it promised great things but I have not heard anything since, and I hope that he will give me an update when he gets up to speak.

Mr. Speaker, there was a no dredging option put forward to the government. It was ignored. The Department of Environment (DOE) was removed from the Steering Committee; that, again, was a big concern. Now we hear the Premier ridiculing the organisers of the petition saying that they will need a small miracle for this to happen. We allowed the cruise lines, Mr. Speaker, to come and meet with local operators in the middle of the referendum preparations. Mr. Speaker,

these people have absolutely no business in our politics. They simply should have been told to hold on and—

I hear the Minister for Bodden Town East talking about information, and I am going to come to that, because the Premier has now opened that door. As a matter of fact, we can get into it now, Mr. Speaker. The Venice Commission, which has developed a Code of Good Practice on Referendums adopted by the Council for Democratic Elections— and this is all part and parcel of the Council of Europe, which the United Kingdom is a part of. This Code of Best Practice has been adopted and referred to in a recent press release that the Premier issued, stating that he used it as a guide for developing the question.

Well, now that he has done so, Mr. Speaker, I wonder if he read the rest of the Code, because page 7— Mr. Speaker, do you need a copy of this?

The Speaker: Yes, Honourable Member; I would need a copy of it if you are going to quote from it.

Hon. Alva H. Suckoo, Jr.: While we are waiting for that document, Mr. Speaker, the Premier posted on Facebook recently that the Opposition refused—

When the cruise partners were here, they sent us a text message at 1:47 in the afternoon asking for a meeting that same day, to which the Member for Bodden Town West responded and said, *"That is too short notice."* Mind you, Mr. Speaker, those individuals did not plan their trip to this island over-night; they were coming with a purpose, yet they saw it fit to reach out to the Members of the Opposition after we issued our press release stating our position on a number of items, including the job fair. After we issued our press release, they decided to reach out to us.

Mr Speaker, I said on Facebook, which I try not to respond to comments there too much, but they were not inviting us out for a beer. That is how you invite someone out for a beer or a drink, *"Hey, you want to meet up this evening?"* but you certainly do not invite the Leader of the Opposition to meet with you to discuss a matter of such importance with zero notice; you do not even say what you want to talk about, and you knew you were coming to this country weeks before— at least a week. Mr. Speaker, that is completely disrespectful.

The Members of this Opposition have to prepare. We need to know what it is we are discussing; we have to research. As the Leader said, we do not have the resources available to us other than our Personal Assistants (PAs), who do the best they can with helping us, but we cannot be expected to just jump at their beck and call and fly down to meet with them. Then the Premier goes on social media and says that we refused to meet with them? I hope people are starting to see the trend that is developing here.

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr.: Oh, the Leader of the Opposition said he was not meeting with them.

[Inaudible interjection]

Hon. Alva H. Suckoo, Jr.: He was off the island however, he has made it clear that the only thing he wants to discuss with those cruise partners is why the pre-booking that is done on the ships is not shared more equitably with vendors and tours operators. He is concerned, and we all are, that the cruise lines are taking the lion's share of that money and feeding the crumbs to the people that this government says they are trying to build this berthing for—the people who make a living off the port.

Mr. Speaker, if the government cared so much about those people, you know what they would have done? They would have negotiated that first thing; they would have put that in as a requirement in the bid documents. That would have been the first thing they should have sorted out if they are so concerned about the livelihood of the people employed by the port. That is the priority.

Mr. Speaker, we then hear that the Premier has brought the Referendum Bill currently being debated, and not the one that should have been brought; and we are still waiting on the Referendum Law that the Constitution requires be put in place. In my opinion, now supported by the legal opinion obtained by CPR, that makes the Bill we are currently debating unconstitutional.

There are other elements in this Bill, Mr. Speaker, that I believe, and I know the Attorney General will love this one, we are flirting dangerously with the relationship between the United Kingdom and the Cayman Islands, and I will explain that one, because there is one little line in that Bill that, to me, is potentially devastating to that relationship and I hope the Government sees fit to remove it.

Mr. Speaker, I primarily wanted to get up and talk about some of the constitutional and legal issues that I see in this Bill, and I think that the Premier's press release dated 4th October, 2019 is a good segue way into some of the legal issues that the Government has now created for itself and the country. Titled '*Referendum Bill Gazetted*', it talks about setting the question and the date but, Mr. Speaker, Section 70 of the Constitution requires, and I will read it just so that everybody is clear:

"70 (1) Without prejudice to section 69, a law enacted by the Legislature shall make provision to hold a referendum amongst persons registered as electors in accordance with section 90 on a matter or matters of national importance that do not contravene any part of the Bill of Rights or any other part of this Constitution."

So right there, Mr. Speaker, the Constitution says that a Law must already exist and that law would determine how we conduct Referendums in this country. Section 70 (2) also says:

"Before a referendum under this section may be held—

- (a) There shall be presented to the Cabinet a petition signed by not less than 25 per cent of persons registered as electors in accordance with section 90;**
- (b) The Cabinet shall settle the wording of a referendum question or questions within a reasonable time period as prescribed by law; and**
- (c) The Cabinet shall make a determination on the date the referendum shall be held in a manner prescribed by law."**

Now, I hope someone can get up and tell where this Law is, because there is no law in place that does that; how then, Mr. Speaker, can we move ahead with this Bill, when the provisions of the Constitution cannot be satisfied? That is, in my view, Mr. Speaker, what makes it unconstitutional. The Premier did a good job of sidestepping that this morning, Mr. Speaker.

Today, instead of focusing on the missing Referendum Law, he focused more on CPR and what they were able to do because there is no law. What he did not explain, Mr. Speaker is:

- 1. Why we are ignoring the Constitution; and
- 2. Why didn't the Government first bring the Referendum Law before we went down this road?

The Premier's press release, Mr. Speaker, also talks about there being no guidance given in the Constitution on how Cabinet should go about settling the wording of the referendum question but, Mr. Speaker, Section 70 spells it out quite clearly. It says:

70. "[...] a law enacted by the Legislature shall make provision [...]"

70. (2)(b) "the Cabinet shall settle the wording of a referendum question or questions within a reasonable time period as prescribed by law;"

So, he answered his own question, the Law isn't there, so how can he set the question he has no authority to do that. That, again, is backed by the legal opinion and is another ground to challenge this Law.

Mr. Speaker, in his press release, the Premier also says that the question must be neutral; which means, the wording should not really create any encouragement for voters to consider one option more than the other and that it shouldn't be seen to be leading or misleading voters; but in the question in this Bill, Mr. Speaker— **"Should the Cayman Islands continue to move forward with building the cruise**

berthing and enhanced cargo port facility?”, the words “move forward” and “enhanced” are words that would plant a certain idea in the average person’s head.

To move forward means progressing and “enhanced” means “better”, so the question isn’t really neutral. The question, in my opinion, should not contain “move forward” or “enhanced”.

It gets better, Mr. Speaker. The press release also states that the question should reflect the intention of the petitioners, so I want to ask the Honourable Premier: Where did cargo come from into the question? Because I can tell you what the petition said: **“The proposed cruise berthing facility, a matter of national importance, be decided solely by referendum pursuant to the Constitution”**— It said nothing about cargo, Mr. Speaker; so the Premier has added cargo and we heard his explanation, that cargo was always part and parcel of this project.

However, we heard the Leader of the Opposition read from the EAB report, that cargo was not scoped. Back in 2015 when that report was done, cargo was not scoped. It was only in the report so that they could determine the linkages between cargo and cruise, but the cargo project itself was not part of that study and the report says so, that it was why there is so little information about cargo in there— is one paragraph; so, Mr. Speaker, we could have stopped the Premier on a Point of Order for misleading the House. It was misleading information.

He says that the two projects are tied together and one can’t move forward without the other. That is absolutely ridiculous, and Mr. Speaker, it is my opinion, that the Premier has chosen to tie them together because he has recognised that some people support cargo, but not cruise berthing, so they may feel compelled to vote “Yes”, because they want to support cargo. He has just conflated them and deliberately— deliberately— in my opinion, caused confusion. Mr. Speaker, the question is supposed to reflect the petitioners’ intentions, not the Government’s.

The Premier announced that the date of the Referendum will be December 19th and the Elections Office confirmed that they will be operationally and logistically ready to operate. Mr. Speaker, I know the Supervisor [of Elections] is a very capable individual, so I have no doubt that he will take this task seriously— but why then did we hear this weekend that the Elections Office is moving offices during this period? Why, of all times, is the Elections Office taking on the additional burden of moving in the middle of all this, when you have people going there on a daily basis, getting ready, dealing with postal ballots, etc? Why would we up and move office in the middle of all this? Isn’t it going to add more confusion to the process?

There may be budgetary reasons, there may be rent that we are trying to avoid paying. I do not know what it is, Mr. Speaker, but it is very troubling. When I heard that this weekend I was quite troubled. To me,

that really does not bode well for a free, clear, and fair referendum process, and there are going to be people who will show up to the old Elections Office and wonder where everybody is. How many people are going to be disenfranchised that way? Not everybody is going to get the news that you have moved, so I am concerned about that.

Get me clear: I am not accusing anyone, especially not the Supervisor of Elections, of anything underhanded, but it concerns me— and it must concern the Government as well, Mr. Speaker. There is absolutely no way that I could be sitting in the Premier’s seat and not be concerned about it if I am advocating for an efficient and effective Referendum process.

Mr. Speaker, moving on to the big one, the Bill. Clause 12 of the Bill, and I hope the Honourable Attorney General will answer this for me if he decides to contribute to the debate.

“Clause 12(4): The Cabinet may by Order amend Schedule 2.”

To explain why I am doing this, Mr. Speaker: Schedule 2 actually contains references to the Elections Law so, what we have done is, instead of reproducing everything in the Elections Law that we need in this Bill, we refer to that Law in Schedule 2 and, in some cases, we change what is in the Elections Law and put those substitutions in Schedule 2. In my opinion, this is primary legislation. This is a schedule containing primary legislation.

Mr. Speaker, I see this clause as being dangerous because it says *“The Cabinet may by Order amend Schedule 2.”* That says a lot for me and it should say a lot for Members on the other side, who have Bill-passing experience. I have two possible trains of thought here, Mr. Speaker:

1. This could be considered as an overreach by the Cabinet — because it allows legislation to be changed simply by completely bypassing this legislature.

Mr. Speaker, we are all up in arms about the way the United Kingdom Government has dealt with us, in legislating for us. We have been through countless debates and conversations, in terms of the United Kingdom Government legislating here, from their Parliament. I think it is a bit hypocritical, because Schedule 2 is not just some simple form where you would fill out your date of birth; or an application form, that we would expect, yeah, Cabinet can change that.

This is primary legislation that could completely change this Bill and what that section does, is to allow Cabinet to sit behind closed doors and change legislation that affects this referendum. That is not democracy, Mr. Speaker, and it is why we have pushed back so hard with the United Kingdom’s Government: How can Cabinet expect to change primary legislation by Order?

2. I will go back to the Constitution, Mr. Speaker.

- “78.— (1) A Bill shall not become a law until—**
(a) the Governor has assented to it in Her Majesty’s name and on Her Majesty’s behalf and has signed it in token of his or her assent;”

Mr. Speaker, there is only one Member of Cabinet who has the Queen’s authority to put laws into effect in the Cayman Islands, her representative, the Governor. In effect, what we are doing in this Law is overriding that. The Constitution doesn’t say you can do it, but this Law does. It is a serious Constitutional crisis we are creating for ourselves, if we allow this to happen.

Ministers do not have the authority to assent to laws; only the Governor does, so we can’t say that the Governor is going to be in Cabinet and they will do it together. There is no power-sharing here. It has to be done separately— singularly— by the Governor, so it seems this Bill is trying to override the Governor’s prerogative powers by allowing Cabinet to modify primary legislation in Cabinet.

I am pretty sure, Mr. Speaker, that the Foreign and Commonwealth Office (FCO) would be concerned about this, not just me. Mr. Speaker, I am no lawyer, but I did sleep at a Holiday Inn Express once.

[Laughter]

Mr. Alva H. Suckoo Jr.: Just trying to lighten the mood because I see some concerned looks across the aisle, Mr. Speaker. I don’t know if they are disagreeing with me or what, but I am concerned.

Mr. Speaker, we cannot allow this Bill to attempt to bypass the Queen’s representative; it would create a constitutional crisis. The Governor most certainly, will not assent to this Bill. I don’t see how he could— have we declared independence from England? This is all my opinion, Mr. Speaker. All my opinion. I could be wrong. I hope I am wrong.

Mr. Speaker, why do we have a legislature if we are going to empower Cabinet to sit in its room and make laws? It doesn’t work. I was reading a book, Mr. Speaker, by E.C. Page, titled *“Governing by Numbers”*. I do not have the book with me, Mr. Speaker, but it is a very short quote if you would permit me.

[Inaudible Interjection]

Mr. Alva H. Suckoo, Jr.: In the book, the author provides two definitions of Orders in Council and clearly disagrees with legislating by Order. He says, *“The continued possibility of primary legislation made by the Executive rather than Parliament is anomalous in a modern constitutional democracy.”*

Mr. Speaker, again I say, I hope I am wrong. Maybe I misinterpreted that clause, but I think, to avoid

any doubt, we need to remove it; there is absolutely no need for it. If Cabinet wants to change anything, any legislation, here is where you do it. That is why we were put here, we are law-makers. We most certainly are not muppets who just sit here and nod our heads up and down. We have to have a say.

Mr. Speaker, if you think about it there will be no public consultation on any changes to the Law; there will be no debate, there will be no vote— totally undemocratic. For that reason alone, Mr. Speaker, I do not think I can even be in this Chamber when that vote comes. I don’t know if everyone is getting it, but for me it presents a serious problem.

I already spoke about Section 70 and the need to have a Law in place, and Section 70(2), Cabinet setting the wording and determining the date. Those issues raise very important concerns and questions in terms of why we have not focused more on the Referendum Law and why we have legislation which ignores the Constitution.

Section 59 of the Constitution, Mr. Speaker, says:

“59(1) There shall be a Legislature of the Cayman Islands which shall consist of Her Majesty and a Legislative Assembly.

(2) Subject to this Constitution, the Legislature may make laws for the peace, order and good government of the Cayman Islands.”

I think that pretty much sums up where the problem is but, Mr. Speaker, when you look at Clause 4 (4) of the Bill reads: **“The outcome of the referendum shall be binding on the Government and the Legislature if more than fifty per cent of person registered as electors pursuant to the Elections Law (2017 Revision), vote in the referendum in favour or, or against, the question specified in subsection (2).”** Well, Mr. Speaker, Section 70(3) of the Constitution reads: **“Subject to this Constitution, a referendum under this section shall be binding on the Government and the Legislature if assented to by more than 50 per cent of persons registered as electors in accordance with section 90.”**

You notice what is missing, Mr. Speaker? It does not say “or against”; so, when the Premier said in his interview that if neither the Yes or the No vote meet the threshold of greater than 50 per cent, he is going to move forward with the project; this is how he is justifying it. The Constitution says “those assenting to”— it says absolutely nothing about those voting No. The onus is on the Yes vote.

The question is: “Should we move forward?” The answer is Yes or No. If you want to move forward, the “Yeses” have to get 50 per cent or more of the total registered voters. If you fail to get that, you cannot move forward. What the Premier has done is thrown in “or against”, so he is now requiring the No vote to reach 50 per cent or more of the total registered voters. The

Constitution says nothing about that, absolutely nothing. It is not in there. He has added that— and when I say he, I mean the Government collectively, not just him. That is a serious concern.

Again, it speaks to the constitutionality of this Bill; it does not follow the Constitution and that creates another constitutional issue. That, again, is supported by the legal opinion we received this weekend, but since the Honourable Premier has now taken guidance from the Venice Commission on what it advises with regard to different areas in the referendum, I am also going to take guidance from the Venice Commission—and that is the document that I asked to be copied and handed to you, Mr. Speaker.

On the subject of campaign financing, Page 7 of that document, under 2.2(a), Equality of Opportunity— and remember now, this is the Council of Europe we are talking about. Forty-seven European countries, I believe.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: The United Kingdom has adopted it by virtue of being part of the Council of Europe.

a. Equality of opportunity must be guaranteed for the supporters and opponents of the proposal being voted on. This implies a neutral attitude by administrative authorities, in particular with regard to:

- i. the referendum campaign;
- ii. coverage by the media, in particular by the publicly owned media;
- iii. public funding of campaign and its actors;
- iv. bill posting and advertising;
- v. the right to demonstrate on public thoroughfares.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: Page 7 of the document that the page just handed to you.

Right away, what jumps out at you, Mr. Speaker, is the word “equality”. If we have a people-initiated referendum and we have now gone down the road of setting a date, there must be equality of opportunity for campaigning, advertising in the media, and public funding; so, if the Government is spending public funds to wage their campaign, to conduct any marketing or mass media— anything, it must be equal. All sides should be able to do the same thing; advertising, the right to demonstrate.

I don't know if the Premier read that part, but what it suggests to me, Mr. Speaker, is that the Government should really be neutral in presenting both sides of the argument, or allowing those involved to

present their side equally. If you see where these arguments are evolving; this isn't really an “Us” versus “Them” anymore.

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: It is a question being put to the public, and we want your answer. We, the legislature, want to know how you feel about this. It is not something that you go out and fight people for, you know. It is a referendum.

The Premier told me once that he has a concern about referendums, especially late term, because if you lose the referendum you are likely to lose the next election. At some point years ago, he told me that; but I don't see it that way, Mr. Speaker, because, even though there have been examples of that happening, if the Government remains neutral and does not take a position and says, *just tell us what you want*, then the public wouldn't see them as the oppressor, the bad guy. They would see them as a government that is receptive, open, and willing to listen and take guidance from the people on this important matter. It would remove that fear from the Premier's mind, but I know he holds to that thinking.

Mr. Speaker, this same document if you look at page 12, under funding:

“3.4. Funding

“a. The general rules on the funding of political parties and electoral campaigns must be applied to both public and private funding.”

Mr. Speaker, I am not taking credit for this. All that I am reading now is supported by the legal opinion.

“b. The use of public funds by the authorities for campaigning purposes must be prohibited.”

I will read that again:

“b. The use of public funds by the authorities for campaigning purposes must be prohibited.”

The Speaker: You are reading from the “European Commission for Democracy Through Law”?

Mr. Alva H. Suckoo Jr.: Yes, sir.

The Speaker: You have made it clear that this is not the law in Cayman.

Mr. Alva H. Suckoo Jr.: Well, it could be extended to us because the European Court of Human Rights falls under that.

The Speaker: I am not going to get into a debate, I just want to make it clear, that you have said that this is the

"European Commission for Democracy Through Law", not a law under Cayman Islands.

Mr. Alva H. Suckoo Jr.: No, no, this is not a law, this is a "Code of Good Practice on Referendum".

The Speaker: Okay.

Mr. Alva H. Suckoo Jr.: Which the United Kingdom is a party to,

Mr. Speaker, if you look at page 20 it gets even more interesting. I don't know how many people will find this interesting, Mr. Speaker, but I do, and I have to go through this in painstaking detail because it is important.

In the Explanatory Memorandum, Page 20, Paragraph 25: **"There must be no use of public funds by the authorities for campaigning purposes, in order to guarantee equality of opportunity and the freedom of voters to form an opinion."** The paragraph before as well (24): **"National rules on both public and private funding of political parties and election campaigns must be applicable to referendum campaigns. As in the case of elections, funding must be transparent, particularly when it comes to campaign accounts. In the event of a failure to abide by the statutory requirements, for instance if the cap on spending is exceeded by a significant margin, the vote may be annulled."**

Mr. Speaker, that is a serious suggestion; the vote may be annulled, so it is quite possible, Mr. Speaker, if we continue down this road, and hold the referendum under these circumstances, someone could make the case, in court, that the vote could be annulled. Now, that is not for you and I to decide, obviously it is a matter for the courts, but the legal question is there.

Mr. Speaker, I do not see how we can ignore this document. It is considered an authority; it has been used in a legal opinion, and I am most certain it would be used in court.

Mr. Speaker, we cannot conflate the EU, Brexit, Council of Europe. The United Kingdom is leaving the European Union, not the Council of Europe—

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: Which has implemented the European Convention on Human Rights; and it is legally possible to challenge things through the European Court of Human Rights.

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: I thought I said EU, not our Bill of Rights.

Mr. Speaker, guideline 3 *[sic]* on Page 14 talks about the quorum for a referendum and, while the

Premier has said that Section 70 of the Constitution basically gives him no choice but to keep the threshold at 50 per cent plus 1, what he has done— as I mentioned earlier, Mr. Speaker— is to require that the No vote also has to meet that threshold.

I hope that we can take that out in committee, because it most certainly has no place in this Bill; again, I cannot vote for this Bill if that is in there; it has to be removed— it is unconstitutional.

Mr. Speaker, how much time do I have left?

[Pause]

The Speaker: In any event, Honourable Member, at 6:15pm I shall take the evening suspension until 7:15pm, or one hour.

Mr. Alva H. Suckoo Jr.: Thank you, Mr. Speaker; I will just finish this point then.

The Venice Commission requires that all voters have enough information available to either vote for or against the proposal. Mr. Speaker, I understand that the Government may not want to agree with me, but why I went through all that painstaking detail, is to make the point that I am not the only person saying it; it's a standard, and if we want to pass ourselves off as modern democracy, a responsive democracy that listens to the people and follows the rule of law, then we have no choice. The Commission demands a balanced approach when it comes to conducting referendums.

I am aware that the Progressives are planning a public meeting, Mr. Speaker. Not just the Progressives, because we plan to have our public meetings [as well]; but, they have, again, invited cruise line representatives to go out and conduct a campaign to vote Yes for this project, which is completely against the principles that I have talked about here today as per the Venice Commission.

Mr. Speaker, Verdant Isle is now planning a job fair. They are going to come here and tell Caymanians about all these wonderful jobs they can get. That may very well be true, but it has its time and place. They have not signed a contract, Mr. Speaker; they have no business being involved in this referendum. This is between the people of this country, their elected representatives, and our Constitution. I don't see Verdant Isle anywhere in the Constitution.

The Speaker: Honourable Member, it is 6:15 pm.

The House will now break until 7:15 pm.

Proceedings suspended at 6:15 pm

Proceedings resumed at 7:22 pm

The Speaker: Proceedings are resumed. Please be seated.

The Deputy Leader of the Opposition continuing:

Mr. Alva H. Suckoo, Jr.: Thank you, Mr. Speaker.

Mr. Speaker, when we took the break I was moving into another area of concern: what I do not see in the Bill, namely, that the Government has eased up the restriction on the sale of alcohol on referendum day and removed the section on financing— which I agree was not appropriate, because it was geared towards election for Members of this honourable House; but Mr. Speaker, I think that the absence of those sections is dangerous.

I heard the Premier's explanation for allowing the sale of alcohol on referendum day, Mr. Speaker, but I maintain my position that, while we understand this time of year is the festive season, and people are going to be out attending office parties and so forth, this is a serious matter that has to be settled by a vote. I have been around politics long enough to know how mixing alcohol with voting can be dangerous.

In my experience, I have seen some incidents; attempts to sway people through using alcohol and people making decisions under the influence of alcohol are not going to be of a sound mind to go into a voting booth. Some people may decide that they were going to vote, but after a few drinks, they decide that they are not going to bother. That hurts both sides of this argument so, while I understand the inconvenience, I personally do not think that we should support allowing alcohol sales on a polling day.

I understand that we have tourists on Island and so forth, but for the convenience of one day out of the entire year, I think tourists, most people, would understand, that given the gravity of what we are doing, there is a need to restrict alcohol. We can't restrict what people do in the privacy in their homes, or at private events and so on, where they are not selling alcohol, however, I think we should still try to restrict it as much as possible. At least then, we will all have a clear conscience that we did our part to ensure that people were not encouraged to vote under the influence or that no one felt that they could use alcohol to keep people away from the polls or to sway people's position, one way or the other.

When it comes to financing, Mr. Speaker, I also talked about the need for equality of opportunity for all sides in this referendum. We need rules and regulations to govern how financing is both obtained and spent. We need rules establishing what you can and cannot do, financially, when it comes to campaigning and your activities on the referendum day. I don't think that it is too much of a task for us to find amendments to this Bill that would achieve that. It would mean an effort from all honourable Members to do it, but we are willing to do so because in the interest of a free and fair referendum— and to protect the integrity of our democracy— I think it is our obligation to discuss that with each other, and try to achieve it somehow.

Mr. Speaker, like the Leader of the Opposition, I have concerns about the date. The 19th of December

is one of the busiest times of the year for most families— again, we talked about people potentially traveling; but, because the referendum date is on the 19th December, there is also a restricted time period that you can apply for postal ballots just because of the length of time involved, so for the Elections Office to reasonably get postal ballots out to people and get them back on time, et cetera, there will be some limitations.

The other concern I had was about two hundred voters not being able to vote. I heard the Premier's arguments, and while I agree with him, yes, at some point, you have to draw the line. I do believe though, Mr. Speaker, that in the past we have done updates to the official voters' list leading up to elections. I think we have been able to achieve that, so I think that, again, in the interest of democracy, in the interest of all of those people who showed an interest in participating in this referendum, whether they are going to vote Yes or No, we have no idea. What I do know, Mr. Speaker, is that I have eleven people in Newlands who are on that list of two hundred who won't be able to vote and who, I am certain, registered with that intention.

If we go back to the Venice Commission, again, that is one of their recommendations or guidelines: that you give citizens— and when it talks about citizens, they mean citizens of the country who have the right to vote— every opportunity you can, to participate in the democratic process.

[Desk thumping]

Mr. Alva H. Suckoo Jr.: I don't see what harm us finding a way to achieve that would do, Mr. Speaker. It is two hundred Caymanians you know? Two hundred is a large number. When you consider the size of most of our constituencies, it is a pretty significant number so let's find a way to achieve it, rather than just draw a line and say, *it's too bad*; because I sincerely believe that most of them registered at this point in time so that they could participate. It means that this was a big enough issue for them to want to exercise their democratic right and, as representatives of the people, I don't think any of us should take any other position than to say, *"Let's see what we can do to help those people"*, Mr. Speaker. There is no guarantee how they will vote.

The other concern that I have with the 19th is the time frame involved in appointing and training observers because, while I am sure the Elections Office will offer some training and guidelines, the Opposition, CPR and the Government have to appoint observers; and those people have to be given some orientation and some training, which is going to take time.

For us as legislators, Mr. Speaker, we have the Budget session coming up very soon and we all know that it takes at least three weeks to get through. It would be nice, if we all took the neutral approach and said we *are going to let the people decide* without any of us campaigning or interfering in the process, but since that

is not going to happen, I think we have to be mindful of the fact that we are going to be here for quite some time, and that, again, is going to take away from our ability to be active and involved in this referendum.

We have been under this pressure before; we have had to deal with these issues. There is no guarantee that things will not come up that you have to deal with but, I think this is a big enough issue that the date could have been set at a much more appropriate and convenient time for everyone. I think that sometime in January would not be the end of the world for anybody concerned, including the selected bidders. I don't think that many people would be extremely concerned, that if we held the referendum in January, that would not be more convenient.

Mr. Speaker, I think that is something that we should discuss amongst ourselves and try to find a happy medium for this to happen, bearing in mind that it is the Caymanian voters who are important here, who count here, and who are the focus of this— not us, not the Government, not the Opposition. The people. Compromises have to be made to keep the people assured that we are looking out for their democratic rights. I keep saying that it is not us versus them. This is the People; the People's initiative, the People's referendum and the People's opportunity to speak, and we really should not let this devolve into a dog fight.

Mr. Speaker, I have a concern as well about mixing the votes and producing one national count. The Leader of the Opposition already talked about the length of time it would take to get a result but, Mr. Speaker, we all represent single-member constituencies. We all want to know— whether we admit it or not— every single one of us wants to know how our constituencies voted. There is no way to deny that, Mr. Speaker, we are politicians. If any of us decided that such information was not important to us, it would surprise me. It would seriously surprise me.

I already have a good idea and understanding of how many people signed the petition in Newlands and how many people have talked to me expressing their opinions and views, so I have a baseline understanding of where people's thoughts and feelings are; but, even that doesn't give me any definite information that I can rely on. As the Leader of the Opposition said, suppose his constituency comes out overwhelmingly in favour of the Port? Then, as their representative, he has some decisions to make.

Now, I have publicly declared that I am voting No, but if my constituents in mass decide that they want it, then I will have to make some decisions myself. I can have a personal position, but as a representative, I have to appreciate the wishes of the people.

[Desk thumping]

Mr. Alva H. Suckoo Jr.: All of us have that obligation, so all of us have a right to know how our constituencies vote.

On the Government side, Mr. Speaker, it would be very concerning for a Member of the Government if their constituency overwhelmingly voted against the port, yet their Government's policy is to move forward. Think about that. You are elected to represent what your constituency wants, and if you take a position against the will of your constituency, you are in trouble.

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: I remember One Person One Vote, single-member constituencies, and I looked at the total votes that came out in Bodden Town in favour of single-member constituencies (OPOV) and then I looked at the total votes I received in the general election in Bodden Town 2013— it differed by three votes. Three votes separated how many people voted for the single-member constituencies and how many people voted for me. I am not saying that there is a correlation, but I am saying there is a very strong coincidence.

Let's not fool ourselves into believing that people don't pay close attention to the attitude and positions of their Elected representatives and, if they find a disparity between what they wish and what you do, you're in trouble. I spent much time in Bodden Town going door to door asking people to support the movement. The former Premier knows it because he and I were on opposite sides of the argument.

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: I campaigned against my colleague for Bodden Town West— it is always said *politics makes strange bedfellows*, but anyway, here we are now.

Look at where we are. We actually had a referendum that didn't meet the threshold, but we still ended up with what the people wanted and that's the thing that you have to pay close attention to. The will of the people cannot be avoided, no matter how hard you try. I have lived my political life trying not to fight against the will of the people. There are times when you have to show leadership, show the people that they put you there because you know what decision to make and what direction to move in; but you have to convince them, you cannot just do it without consulting them. That's how I view leadership in this day and age.

We had a conversation earlier about how times have changed and how people's attitudes towards elected representatives have changed; maybe not so much for the better. People start to show less respect for authority, less respect for those who rule with the iron fist, and we have to be mindful of that. People will turn and revolt on you, so we have to find that balance between leadership and being a good listener, Mr. Speaker.

I started to talk about the Members on the Government side, and I am sure deep down, each of them would want to know how their constituency voted. Mr.

Speaker, when I look at the people who signed the petition, I have a breakdown by constituency which is also quite telling. I will not go through the entire list, but I will give some information that I thought was interesting. The number of registered voters of that constituency who signed the petition:

George Town East	37%
Red Bay	36%
George Town South	34%
Newlands	32%

There is no guarantee that all those people will vote one way or the other.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: The Deputy Premier has a point. You are Cayman Brac East?

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: West.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: Eight per cent. There are different reasons you can apply to that, but my point is—

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: Everybody wants to know their constituency— you see? This is what I am talking about. This is my point. Everybody wants to know how their constituency feels about this project, and you cannot tell me, that by having a national vote—

An Hon. Member: Read them all.

Mr. Alva H. Suckoo, Jr.: Read them all? Okay, I got to Newlands.

West Bay South	31%
West Bay West	29%
Prospect	29%
West Bay Central	28%
East End	28%
West Bay North	28%
Savannah	27%
George Town North	27%
Bodden Town West	27%
George Town Central	26%
North Side	25%
George Town West	24%
Bodden Town East	20%
Cayman Brac East	11%
Cayman Brac West	8%

That's it; so, Mr. Speaker, the threshold to trigger a referendum was 25 per cent of the registered voters, and just about every constituency, except for Bodden Town East and Cayman Brac East and West hit 25 per cent. You all can interpret that however you want, but that suggests something to me. At the very least—

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: No. That doesn't guarantee that 75 per cent is for it. It means 75 per cent want to come out and decide this. You can interpret those results however you want.

What I hope is not happening, is that this national count is deliberately being done to cover-up weaknesses in certain constituencies, because I know the Progressives just did a poll. I don't know what the results were, but it could be that those poll results were not very encouraging; so, if you extrapolate to certain constituencies controlled by the Government, that are weak, you would not want those Members to know, because then the Premier would have a revolt on his hands.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: I keep talking about this; I debate this all the time, Mr. Speaker. The legislature enables the Executive. If the Premier wants to keep his Government together—does not want people to jump ship.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: Yes, let's say it: I jumped ship. They are not made of different stuff.

[Crosstalk]

Mr. Alva H. Suckoo Jr.: Let them see their results then. You have to compare apples to apples; you can't compare apples to oranges. Let them see the results.

However, Mr. Speaker, if the Premier's backbench, in particular, starts to realise that they are going against their constituencies' wishes, what the end result could be is that they change their position—and that could be problems for the Premier. That's all I am suggesting. I am not suggesting that it is his primary motivation.

[Crosstalk]

Mr. Alva H. Suckoo Jr.: Well, you are the Leader of the Government, so I have to assume that.

Anyway, Mr. Speaker, it is up to each Member's individual conscience; if they don't want the results, that's up to them. I know that I would want to see what my constituency was saying. I would be very interested in knowing, because at the end of the day, yes, you are a Member of a Government, a Caucus—

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: You have loyalties to your Government; to keep your Government together, you have loyalties to continue your plans and so forth, but those loyalties do not trump your loyalty to your constituents. That is primary.

[Inaudible interjection]

An Hon. Member: That's not what the Constitution says.

Mr. Alva H. Suckoo Jr.: I am not talking about the Constitution, I am talking about if you want to make it in politics, don't ignore your constituents.

[Inaudible interjection]

Mr. Alva H. Suckoo Jr.: Well, I mean the Premier is saying he doesn't ... Anyways, whenever I am starting down a good track, the Premier tries to distract me, you know Mr. Speaker.

[Pause]

Mr. Alva H. Suckoo Jr.: Mr. Speaker, if the Premier and his Government want to continue down that road, there is going to be strong objection from me because I don't believe in obscuring information, especially this sort of information. I believe that while you can have your facts, you cannot have your own facts.

Breaking it down for the entire country would be the wise thing to do; not just what is good for the Government, it is what is good for the people, so break it down. If the results come out one way that you don't like, then you have some work to do. That's just the way I look at it. Nothing in life is ever going to be perfect, but hiding information from people never results in anything good. The truth will always come to light, one way or another.

Mr. Speaker, I am not going to be much longer, but I remember when— how much time?

[Pause]

Mr. Alva H. Suckoo Jr.: Oh, I have a whole twenty minutes, Mr. Speaker.

I remember a time when I was a part of the Premier's Party and running for the first time in Bodden Town and I won, and it was a long shot. I don't think many people expected that I would make it, but I gave it my best fight and I did make it. I remember walking into the Progressive Office in George Town and as big as I am, the Premier picked me up off the ground; he was so happy to see that I had made it.

[Inaudible interjections]

An Hon. Member: My goodness.

[Inaudible interjections]

Mr. Kenneth V. Bryan: I witnessed that.

Mr. Christopher S. Saunders: What a touching story.

[Laughter]

Mr. Alva H. Suckoo Jr.: The Member for George Town Central witnessed it, so I am not making it up.

[Crosstalk and Laughter]

An Hon. Member: They should hug again.

Mr. Alva H. Suckoo Jr.: Mr. Speaker, those were days when I believed in the Premier, and I believed that he was going to do what is right for the country. For the most part, I have seen him strive to do that. Maybe we disagree with how he does it, but he does it— but, Mr. Speaker, I am saying this as a colleague: I am disappointed. This is not the sort of stuff I would expect from the gentleman sitting in the Premier's seat.

In my estimation of him as a representative, he has risen on occasion and fallen, but this one, this one is hard to swallow because he and I both know, whether you liked what he had to say before or not, what he was motivated by; he was motivated by his constituents, the people he represented, the desire to make this country better and to do good for all Caymanians and all people living here.

When I see this sort of stuff, it is unbecoming of the gentleman that I know as the Honourable Premier, so I will ask him, Mr. Speaker, without beating up on him, without being mean and punching him in the gut, to reconsider some of the things that I pointed out in this Bill. We are here as nineteen representatives; we do not have to like each other but the people put us here to work together. We can fix this Bill before it becomes a law.

I would also strongly suggest that we look at those concerns that have been raised because I know we are all honourable people, it is within us, and it is our responsibility to make sure that we do what is in the best interests of our people. That is all we have to do. You know when you go to the church, Mr. Speaker, and they have an altar call, and the pastor is looking at the congregation, saying, *who wants to come up and be saved?* I am having an altar call, Mr. Speaker.

[Laughter]

Mr. Alva H. Suckoo, Jr.: I am issuing an altar call to everybody. Let us do what is right. Come to Jesus and do what is right because, there have been many times

I sat in that congregation and that pastor has been looking straight at me and I look away and, when I get home you know how I feel? I should have gotten up.

Let's heed the warning. Let's not do this to our people; we can fix this, but it is going to take the will to work together and show this country that we are not just here as warmongers to fight and beat down each other. I don't know if I will survive the next election. I have to do what I can do now, while I am here.

Thank you.

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

The Member for North Side.

Mr. D. Ezzard Miller, Elected Member for North Side:

Sorry, Mr. Speaker. I intended to rise, but I just got my hand on the Annual Report for the Port Authority of the Cayman Islands 2016 (the last one the Parliament has), and it is absolutely alarming. I will get to it as we progress in the debate.

Mr. Speaker, I came this morning prepared to debate the Referendum Bill and what I thought were its shortcomings. I have some difficulty with some sections in the Bill, most of which have been dealt with, and I will leave my remarks on the individual section for committee stage.

Since the Premier spent most of his introduction of the Bill telling us all the good things about the port, and the cruise facility, and why it is so desperately needed, I think I have an obligation to tell the other side of the story; and all Members will be aware that my position on the port is not influenced solely by the CPR campaign—although I support what they have done.

I have always opposed building a cruise facility in George Town Harbour. Way back in the 80s, Mr. Speaker, we remember the alternatives that we were offered; we were told in the 80s that if we did not build a pier, the cruise industry would never grow. We had one port director who proposed buying anchors, you remember?

The Speaker: No, I really do not remember that.

Mr. D. Ezzard Miller: Okay, that is all right; I will jog your memory, but I am sure everybody in here and the listening audience clearly remembers the purchase of huge anchors because we were going to put buoys in George Town Harbour as an alternative to a cruise port. That did not get off the ground.

That was part of what it was intended to be, but when they looked at the insurance implications of the Cayman Islands Government's guaranteed anchorage in inclement weather it was abundant, so I opposed it then. There is no question that the anchors have destroyed some of the corals out there, but that is a result,

again, because the government would not listen to the mariners in the country.

There were proposals put to government to provide proper pilotage by qualified captains, to ensure that the cruise ship dropped the anchor in the sand and not on the coral; but we preferred to have somebody out there on the bridge, and somebody on a little boat and he tried to steer the boat to tell the cruise ship when to drop anchor so it would go in the sand, and we had master mariners who have anchored ships and taken ships into ports all over the world, and they were completely ignored—as they are being ignored now.

My greatest opposition to the cruise port is the fact that the mariners in my family tell me that what is being proposed is going to be very difficult to operate because of the design, and I am not talking about people who go out on the North Sound to Stingray City and add captain to their name, you know. They are not the kind of people I am talking about; I am talking about people with unlimited tonnage. One person has sixty years' experience as a captain at sea, only retired last year at 86 years old, and his last job was unloading a super-tanker in the Gulf to smaller ships.

First of all, Mr. Speaker, let me congratulate the CPR group. I think those young people worked hard, I think they have achieved what everybody thought was impossible, and what we hear now is that, "*Oh yeah, but it took a year to do it.*" There was no time limit for them because we do not have a Referendum Law. I am confident that if we had had a Referendum Law in place and it said six months, they would have gotten the signatures in the six months.

Mr. Speaker, on four occasions I have requested from the Minister of Tourism to have a presentation on this port, none of which has materialised. We have had short conversations individually, but I was not privileged to see what the project was going to entail, what the intention was, what the rationale was behind the project, and I remain unconvinced today, based on the government's own figures in growth of tourism, that the piers are necessary.

My constituents would rather we take that \$200 million and put in a monorail above ground from Savannah to West Bay, and re the traffic because all them little amendments that we are doing now to the side of the road, with NRA workers wasting time because they have been doing 1000 feet next to the Red Bay roundabout now for the last what, four weeks? You cross there at 9 o'clock, 9:30, nobody is working. You go back at 3 o'clock, they have all gone home.

Mr. Speaker, when I showed the plans as they were published in the paper—because I have never really seen a proper set of plans—to one of the master mariners, he simply looked at it and said, "*Can't work.*" Well, he got in a few seaman expletives in between that, but that is not language that I can use in here.

I said, "*But you need to tell me why.*"

He said, "*They are too close together.*"

I said, "*Why?*"

He says, *"Well, only a fool would design a cruise berth expecting to tie up a cruise ship broadside to 25mph wind."*

I said, *"So, what is the problem with that?"*

"Well," he says, "I just come off a super tanker in the Gulf; I had a super tanker and a lighter on the same course, at the same speed, monitored by GPS. Before I put the manifold from the super tanker to the lighter, I put 15 ropes between the ships to hold them together. No cruise ship can dock up to that dock that we are proposing in George Town, broadside to 20-25 knot wind, and use less than 12-15 ropes."

I said *"But, what do you mean?"*

He says, *"Well, no Captain worth his salt should risk turning on his thrusters before he got his ropes on board. In a 25-and a little knot wind from the NE, by the time he gets those 12 ropes on board, he done hit the other cruise ship"*— but, you see, we don't talk to these kinds of people.

You and I would never think of that; we think it is just a pretty picture— two docks, looks good. The cruise industry says it'll work, it should work. We would expect their captains to tell them it can't work, right? How many captains do you know tell their boss what to do about the ship? They are likely to get fired because the motivation for this cruise pier is not about what is best for George Town Harbour, but what is perceived to be best by the two cruise companies that are paying for it; and what they are going to get out of it, has to be in the range of what they normally expect as profits, otherwise they *nah goin'* do it.

When they announced that they were moving them deeper out, nearer to the drop off, I went back to him and said, *"Well, this should solve the problem. They're moving them back to the drop off."*

"Oh, my God. That's worse," he said.

I said, *"What d'you mean it's worse? It can't be worse."*

He said, *"Well, simple: the onshore currents in George Town Harbour flow to the South, so the bow of the cruise ship is going to be pushed to the South. The offshore currents flow north so the stern of the cruise ship is going to be pushed to the North, while the cruise ship is being pushed to the South and he can't have no speed to maintain steerage coming to that port because this is not a Boston Whaler; he can't stop it before it hits the dock."*

We saw what happened in Honduras four months ago. This same person took out the first super tanker out of Osaka, Japan, and he told me, that for him to get that super tanker, fully-loaded with fuel oil, to stop at the manifold in Bantry Bay, Ireland, he put the super tanker in full reverse 35 miles from where he wanted it to stop.

[Inaudible interjection]

Mr. D. Ezzard Miller: We are not talking about docking a toy. There is no room to assist with thugs, and another cruise ship is tied up. Remember: first of all, as he said, the cruise ship is not designed to go backward; and it is stopped, so we are going to have to move it back with its propulsion.

I have since heard that the government has been advised that these are modern cruise ships, these are not the kind of ships that these people used to sail on so their thrusters, et cetera, keep them to the dock. Might be so, but you know what that means? If he will have his thrusters constantly running, while he is tied up to the dock, do you know what colour George Town Harbour will be? Not clear. It will be white from the mud that they are going to stir up constantly, yet we are told that, because the pit has been reduced, the environmental damage is going to be minimal.

Mr. Speaker, I invite everybody here— I know probably only the Member from West Bay Central, Captain Eugene; the Minister of Tourism, and the Member for East End will go out there on a boat, but do you remember that a cruise ship went in, down by Pageant Beach, *Rhapsody*?

[Inaudible interjection]

Mr. D. Ezzard Miller: Right off the point there. Remember we had to dredge for her to slide into? Anyway, next time you fly into Cayman look at it— it is the prettiest white hole anywhere along Seven Mile Beach now. Why? Because it is full with Seven Mile Beach sand. We heard the Premier use what he described as *"the best technical experts in the world"*.

I do not have any reason to dispute that, say that Seven Mile Beach is safe because the sand comes from North West Point, yet we have a Caymanian, Mr. Kim Jackson, who spent seven years with the University of Louisiana monitoring sand on Seven Mile Beach, but we will not talk to him. Can't make our experts talk to him.

I read a report, over that period of time; often times, they put dye in sand on Seven Mile Beach and found it on Pull-and-be Damned Point— for those who don't know where that is, it is that little beach by the Kay shore up in South Sound. The only way it could get from Seven Mile Beach to Pull-and-be-Damned Point is to cross George Town Harbour. What do you think is going to happen when we dig down 65 feet, where we now have 25 feet? Do you think the sand is going to get to Pull-and-be-Damned Point? Because from Pull-and-be Damned Point they also monitored when we have South-West wind and South wind; it goes back to Seven Mile Beach.

Most likely, instead of it going down the hole as it does with the Rhapsody hole, it will stay there because the cruise ships will stir up the mud— they will stir up the sand too, but the sand has the weight to go back in the hole, the mud is going to be dispersed all over George Town Harbour; and if you do not believe

me, the next time that I am going to dig the sand out from around the dock by the edge of North Side, I invite you all to come watch. Just digging it up with a back hoe, less than an hour after we put the bucket in the hole, the mud is going out through the channel a quarter mile away.

[Inaudible interjection]

Mr. D. Ezzard Miller: Bring sunscreen!

Mr. Speaker, I will admit that I do not have the evidence to prove that Seven Mile Beach is going to be damaged. I don't. Definitely, I cannot guarantee that it will be damaged but, conversely, the government does not have the evidence to say that it is not going to be damaged.

[Desk thumping]

Mr. D. Ezzard Miller: Because I am going to read from that same report that the Premier quoted from this morning and show you that they themselves [are] not sure and if you read their whole page and a half or two pages of disclaimers, they make it clear that they are not guaranteeing anything *[inaudible]*. They got paid some money and they delivered a paper.

I earn part of my living in the consultant business and Consultant 101: if you want another contract, try to figure out what the person that hired you wants to hear, and find the best way to tell him that. That is what plenty of this is. That is what plenty of this is. It is what all consultants do: Consultant 101.

[Inaudible interjection]

Mr. D. Ezzard Miller: Mr. Speaker, do you have a copy of the report that the Premier quoted from earlier? Okay.

This is the EAB Review of Consultation Draft Environmental Statement Technical Appendices, Non-technical Summary for August 2015— note the date, Mr. Speaker: 2015. Four years ago. Tides, climate change... much has happened in Cayman waters since then. They themselves recommended that we should have an update of the designs before we make a final decision to put this out there, but Mr. Speaker, I just wish to refer to a couple of sections in this.

Something the government is promoting is that this cruise berthing facility would promote so much growth in tourism, that even if it damages the environment a little, we will still be better off. This report talks about some of the major negative impacts— you don't hear any radio ads promoted by the government about the negative impacts of this cruise berth— such as the negative economic impact on George Town businesses.

One of the big selling points to the need for this cruise berthing is that it will create, at first, I think it was

nine hundred jobs, the latest I see in the press now is seven hundred.

[Inaudible interjection]

Mr. D. Ezzard Miller: It's down to two hundred, now? Well, I think that is more realistic, because we all know that the big construction companies that are the preferred bidders already have their crew. Some of the companies involved have work going on in my district worth a couple million dollars, yet I cannot get a job for a North Sider, because when they come to North Side to do the job they already got their crew employed, most of it cheap labour from somewhere else.

We say we are going to create seven hundred jobs. Has anybody told the people who are operating tours, taxis and buses, that what we are talking about is seven hundred more taxis, buses and tour groups, so those couple of hundred or thousand who are out there getting some business now, will have to compete with seven hundred more?

They are going to get less, and even if they get more, most of them have one boat or bus and one crew. Normally they work on the boat themselves. If they get more passengers out of this half a million more that we are supposed to be getting if we build a pier, are they going to buy another boat? I don't see anything in here about setting up investment funds for people in the industry to help them— *can't* get no bank loan in town. That *gah* be approved by Bahamas or Barbados or Trinidad or somewhere now. Can't go with your family name and get a loan, anymore.

They have to get a crew, gotta pay for fuel... You really think they goin' be any better off? Most of the people already in the industry are going to be worse off with increased tourists if we are promising seven hundred more jobs. Now, if we were saying that we were not creating any more jobs, and all of the new business had to go to them, then they might be better off; but we know how the cruise industry works.

They use company A in Cayman this year, paying them only \$7 to take someone to Turtle Farm — I am only using numbers here, this is not accurate. They have the contract to take all the passengers off their ship. Next year, they go to another guy and say, "*Listen, you Company B, we are paying Company A \$7. You do this for \$6.50?*" He spent a whole year without any business paying bank loan so, of course, he takes the contract for \$6.50. The next year, they go back to the guy they were paying \$7 and say, "*Listen, we know you ain't got no work; you do this for \$6?*" and get it for \$6. It is a race to the bottom, why? Because our government is not putting in place rules for cruise ships dropping anchor, or tying-up to a pier in this country.

I don't think there is anywhere else in the world that cruise ships get as much percentage of the block of business as they do in Cayman per the information I have; I could be wrong. Maybe the Minister has different numbers he can prove to me. Right now, the cruise

ships are taking some 70-plus per cent of every Cayman tour that is sold.

[Inaudible interjection]

Mr. D. Ezzard Miller: Now, the cruise ships are not paying travel agents 70 per cent on their bookings. The government should put a rule in place. You want to come to the Cayman Islands? All you are entitled to as a cruise-ship company is the same thing you pay a travel agent to sell your cruise; whether it is 10, 15, 20, per cent, whatever that is.

That is why the locals are suffering. That is why the locals working this industry are not making any money. Not because they need more people; because they are not getting properly paid for what they are doing. In how many other countries do you think they can wheel bicycles off-a-cruise-ship and rent them in the city?

[Inaudible interjection]

Mr. D. Ezzard Miller: Now, the government's biggest selling point for cruise piers is that cruise passengers would be able to get on and off the ship quicker, right? If that is not the purpose of it, what is it— but remember this report done by the best experts in the world?

On Page 20, Mr. Speaker, is a paragraph titled "Tendering vs. berthing": **"The ES considers two scenarios for disembarkation rates, one with four Carnival Magic-sized vessels at berth and a second with two Carnival Magic-sized vessels and two Oasis-Class vessels at berth. The ES concludes that for both of these scenarios, the disembarkation rates with a cruise berthing facility is within the range of passengers disembarking rates with tendering i.e. cruise berthing will not—"** Heard what I said? **"—Will not result in a quicker rate of disembarkation."**

Thus, why are we building the piers; and they are right. The problem is not with the tenders or the piers, but the methodology by which we disembark and re-board passengers. If we boarded Cayman Airways at the airport the way we board a cruise ship in George Town Harbour, you don't get one flight a day because this is what they do: get on the tender, you get to the door of the boat, you clear your identification process, you clear security and you clear customs— all inside the boat. You imagine if we did all that inside the Cayman Airways plane? No, we do not do that, we do all that before.

We do not need cruise piers; what we need is a large, air-conditioned auditorium down there with five or six entries at which you clear security and customs. You go in there— we all talk about how we need to advertise to these visitors to get them to come back as stay-over tourists? You have a captive audience to advertise all kinds of rates to. The hotels can do promotions in there; and when you want to go on the Disney

Magic, just like the airport, you are going on Cayman Airways? Gate 1. You are going on American? Gate 7. We do it on land, in comfort, in air-conditioning.

All we are doing now is move the line of people off Harbour Street out onto the dock in the broiling hot sun. How is that improving the quality of the cruise experience? What we need to do is keep Cayman at the top of the cruise passenger experience— control those people down in the dock hollering at visitors. Cruise piers nah goin' stop tha'. We are only moving them from one place to the next. We need to ensure that the first and last impression cruise passengers have about Cayman is a good one so they want to come back; and we do not need to spend \$200 million to do that, we can probably do it for \$3-4 million.

The experts the government hired said definitively: *"Cruise berthing will not" — "Cruise berthing will not result in a quicker rate of disembarkation."* The experts, not me. I figured it out, but that nah me; so my question to the government is: why are we spending \$200 million to build piers out in George Town Harbour which are going to introduce operational risks that we do not have now— by the way, how many Members drove across the waterfront lunchtime or anytime today?

Where were the cruise ships headed? How were the cruise ships anchored or on their GPS in the harbour today? Everyone I saw pointed to the NE, bow to wind. I have no doubt that their thrusters and GPS can keep him in that spot, bow to wind, because you are only fighting currents. Broadside to wind? A whole different argument. Whole different argument, and if you doubt me, even in my little Triumph 17-foot boat, if I am taking her to the dock and there is wind, I have to respect the wind otherwise, I goin' crash into the dock; or I have to go in reverse so quick, I throw all the kids into the water— and we are not talking about a 17-foot boat.

The other thing you will have out there, you know, when you move them out to sea is swells, which you do not have [here]. The Premier was correct this morning, in paying tribute to Mr. Berkeley Bush and all who built the port in George Town Harbour, but where it is? It's in shore. It is protected by— how is that point down there by Pageant Beach called? As well as the iron shore on the south side. Don't blame me. Any day there are 25/30-knot North Easters, those cargo ships are tied in the flat calm. When they are here, all these tall buildings block the wind. Move them a quarter mile out to sea, where you intend to put them now; put them out on the drop off and tell me the difference. I promise you: listen to the Caymanian mariners that know our waters and have the experience.

When they were doing it before, I saw some report in the press that claimed that a cruise ship captain said it was a good idea because they would steer it straight into the dock. They did not have to manoeuvre to get to the dock, would line the dock, and it was bow to wind. Well, he must have come here in August,

because if he had come November to February, heading South-East ain't gah be bow to wind. When you come in tomorrow, go to George Town Harbour and look at them, see where they are headed— and if they are so modern that their thrusters and GPS can keep them up in the wind, why are they broadside on to the wind out there in the harbour?

Think about what we are doing. Do not make these people come in and tell us things our heritage— our blood— tell us are wrong. Any of you who ever docked a boat, regardless of the size, can't tell me that it is not different docking it when you got waves, when you got wind, when it is flat calm and you are protected by buildings. The cargo port works now, because it is inshore.

I have seen my father dock an AguaSpray, that is his precious memory, in front of Hard Rock Café to pull on a bulldozer and when he put the ramp on the iron shore, George Town Harbour was flat calm, no wind; by the time he got the bulldozer on board and got the ramp up, Nor'wester had made it down. Because he had pumped the ballast out of the boat to get her that close to shore, he had to back almost outside land, while pumping ballast back in, reverse again to the sea, so he was coming out the stern of the boat and going out the bow before he could turn and go around South Sound.

These people who are doing these designs are going out there in good weather. We all remember the Kirk Pride. She was peacefully tied up to the dock.

[Inaudible interjection]

Mr. D. Ezzard Miller: Well, I can remember it.

We were playing on the dock; flat calm in George Town Harbour. Three o'clock, big, black clouds set up in the North-West. There was a beautiful wooden, black, two-mast yawl tied to what we used to call Webster Dock. I think it's called the South Terminal now, because we changed the name— anybody comes and tell us to change the name of anything, we change it.

I heard some foreigner the other day, up at Rum Point, talking about "Panama Canal of Cayman"— "Panama Canal of Cayman"? Where is that? Up behind Booby Cay. That will soon be the sign that is posted on that, you know?

[Laughter]

Mr. D. Ezzard Miller: Within the hour, parts of that wooden yacht were on the post office porch; the *Kirk Pride* was up on the iron shore, next to Webster Dock. They had to bring Phil to lock down the rope, you remember Alden? Brought him down from *[inaudible]*.

A strait boat that was anchored in the harbour— even though the Captain was on board, it happened so quickly he could not get the engine started, raise anchor and get out— was on the road, by where

Paradise Restaurant is now; and the Captain's head was being beaten against the iron shore. I think it was Oliver Hill and Henry Ebanks, who jumped overboard and saved his life.

[Inaudible interjection]

Mr. D. Ezzard Miller: All we need with this fancy cruise berth, is one of them pieces of bad weather come down and get two cruise ships tied out there. If we build what we are proposing to build, mariners tell me, it is an accident waiting to happen.

When they built the one down in Honduras, it was the best thing since sliced bread. Nothing could happen to that.

[Inaudible interjection]

Mr. D. Ezzard Miller: My argument is, I don't know whether I am wrong or they are wrong, so why take a risk?

[Desk thumping]

Mr. D. Ezzard Miller: We make money!

You know, a couple of years ago Airbus invented a huge plane. About 380, right? Double-decker; it was going to revolutionise the airline industry, was not going to build small planes any more. They stopped making them last year, you know. Not making more of them, why? Passengers' complains.

How many people here have had somebody take a cruise on a mega ship and come back and say it was a great experience? Everyone I talk to who went on one of those mega-ships say they ain't going back on one— it is dealing with six to seven thousand people. Whatever you want to do, the line is long. You can't get anything done and they are not designed for the passengers to come ashore, you know? They are designed to keep the passengers on the ship. Most of them got more activities on board than Cayman can provide. It nah goin' take them long to invent a Sting Ray City to put it in the next one, you know.

[Inaudible interjection]

Mr. D. Ezzard Miller: We do not need any more evidence on what can go wrong than Falmouth, Jamaica. How many of you have been to Falmouth, to see what is going on? I did, and I talked to the people.

There was an article in *The Gleaner* that they are hoping we are going to be so fool, as to build a cruise port in Cayman to take the mega ships, so their business can increase. Just think of that! Jamaica got three ports, all with piers, and they have many more natural attractions than Cayman has, but they are hoping we are going to build one so they can get more business.

The good Lord put Cayman in the perfect place, geographically. Overnight sail to Cozumel, overnight sail to Montego Bay, Ocho Rios or Kingston. If we provide the kind of experience and product that Cayman is capable of, that Caymanians are capable of because remember now, our whole tourism industry in Cayman was built on relationships. You knew the people. If they asked the maid who was cleaning the room, *"Where can I get the best fried fish and fritters"*, *"Don't worry sir, Johnny going fishing tonight, he is going to catch a few yellowtail. Tomorrow morning, I will bring you some fried fish and fritters."* She would carry them.

When I was Chairman of the Immigration Board, I had to summon one of the managers from the hotel to my office. She told off a senior West Bay lady because she offered to assist a gentleman to get something from the drugstore downstairs, you know. My brother will tell you, and I know none might respect him in the tourism industry, but he has as much good qualifications and experience as anyone else on this island. He will tell you. The ruination of our stay-over tourists started with the introduction of corporate America because it is all numerical— you must clean ten rooms for the day, don't talk to nobody. Total antithesis to how our cruise ship industry was built.

We talk to people. We talk about Cayman Kind, but we expect somebody from Uzbekistan to practice it. You can hardly go to a restaurant in Cayman today and order something and get what you want, because the person can't understand you and you can't understand them.

[Inaudible interjection]

Mr. D. Ezzard Miller: The last one I went to on Seven Mile Beach, I had to tell the waiter four times what I wanted and he still brought the wrong thing.

What we need to do with the cruise industry, is take a couple of million dollars, put up a building on the port, and create a complete departure lounge. We need to do the same thing at Spotts. Coming here today I see graders and bulldozers, et cetera up there, filling in that now; all these years? Getting ready for when this one close now, during construction.

The other thing that nobody is talking about, Mr. Speaker, is the negative impacts on George Town— and Mr. Speaker, I want to publicly thank my friends because, like I said, I have all this documentation at home, but I did not realise that this is what the debate was going to be about today. I thought the debate was going to be about the Bill, so I did not bring my 5-inch folder with those documents, but I have a few friends.

Something we are not telling people about the jobs, and I don't know if you have a copy of this one, Mr. Speaker. It is the *Preliminary Economic Valuation of Ecosystems Goods and Services provided by GTH Reefs*, prepared for Baird by Bernadette Charpentier and Allison Richards, TEM Network, 20 West Kings

House Road, Kingston 10, Jamaica. Their economic analysis said that the destruction of the reefs that would happen by building these piers is going to remove between \$23 and \$26 million, per annum, from George Town's economy.

[Inaudible interjection]

Mr. D. Ezzard Miller: Out of the George Town economy. That is money that is staying here and circulating, because those little businesses on the waterfront are owned by Caymanians. They would all close down. You are not going to be able to dive the Balboa. It would not exist anymore.

Currently, I am not a big cruiser but I am told that George Town is one of the few, if not the only harbour, where you can actually fall overboard from the cruise ship and see the fish in the water, you know? All the way in on the tenders, right beside the dock. You can come in on the tender, go down Hog Sty Bay, go straight in the water.

The government has an ad on the radio that says, there will be no dredging on Hog Sty Bay. That is what I would call a little white lie, and let me explain to you what a white lie is: Dan Rather, who was a big CBS reporter, went to visit Jimmy Carter's mother at his peanut farm in Georgia and he was interviewing her about her son Jimmy, who was then president and you know, *"Would Jimmy tell a lie?" "Oh, no, no, not my boy Jimmy— he's a Christian. I mean, he might tell a little white lie"*; so, Dan Rather said, *"Well, what is a white lie?"* She said, *"Sir, you know when you came in that door and I said I was glad to see you? That was a white lie."*

[Laughter]

Mr. D. Ezzard Miller: That there is not going to be any dredging in Hog Sty Bay is a white lie, because if we limit Hog Sty Bay to anything inside of that rock, maybe you used to swim around [it].

Yes, there is not going to be any physical dredging there, but the diagrams in those reports show the plumes from the dredging coming right into Hog Sty Bay, going all the way down almost to Sunset House— because remember now, the fact that these consultants have said Seven Mile Beach is not going to be affected, is because they have done their monitoring on a Nor'Wester. The pictures they got in the report show the wind coming from the North-West; of course, in a Nor'Wester, but why they didn't do one during a Sout'Wester?

Again, some of you may be too young, but as a high school student we used to go Seven Mile Beach to picnic every end of term. Big place there down there below the Governor's called The Pines— Captain, you might remember. You could go there in December, when school closed, and go back in April and there was a big drop-off, where the sand had gone south, right?

You go back for the end of the school year in July, beautiful beach. All the sand come back from the summer South winds.

We put so many buildings down there now, anything can happen, so, the plumes and the pollution from the dredging might not get all the way down to Governor's Beach, but I can promise you that it will go down to Pageant Beach, even with the western current, because the offshore current will take it down. How many of you do scuba-diving— one; and *unna* supporting all this?

There is a place down there, just south of the Marriott, that when I was a young man, scuba diving, we used to call it Sand Chute. Any time you could go there, in fact, one of the things they would tell you if you dived down there, make sure the sand didn't fall on you because it got heavy and drown you. I use my parents' house; I can go to my parents next Sunday and probably be like Seven Mile Beach. Go back the following Sunday, nothing but beach rock. We had a little west wind and the sand gone off the beach, go back the following Sunday it came down.

Hurricane Ivan, Hurricane Gilbert: every house or apartment complex or hotel in North Side that had a wall got destroyed. My father's house, water came up 150 feet to his cistern and went right back down. Came up through the coconut trees and grape trees, all it did was kill the grass. No damage. We are going to put a pier out there, and you think those forces will not happen?

There was a hurricane in Honduras that did much damage a couple of years ago. I can't remember its name right now, but opposite where I used to live on the Queen's Highway, there is no reef. It's a 15' straight drop of beach rock. I stood up there and watched the sea coming in. *[Counting]* 1, 2, 3, 4, 5, 6, 7; the seven *[inaudible]* dropped a rock that size between my legs, and it is a huge wash back. You could see the sea feathers out to scrap bottom come back in, build-up, build-up, until the sea came over.

This report says that the structures are going to alter the tidal performance in George Town Harbour. It has to— *has to*. As part of the exercise done by Mr. Kim Jackson with University of Louisiana, they stuck a 4-inch pole in the water. It altered the movement of the sand on the beach.

I heard one of the big government project supporters arguing extensively with somebody a couple weeks ago, *"There is not going to be much dredging, you know? The only place they are going to dredge is where they put the pilings."* The person then said to him, *"Well, how do you think they are going to get the ship to the dock? They gotta dredge where the ship comes in; the only place that they are probably not going to dredge is where they put the pilings."* This is the kind of stuff that is going on out there. We are just accepting these experts' advice—and there is no economic justification.

I predict that the mega-cruise ships are going to go the same way as the 380: there will be no more ordered. What it is now? I have the statistics in my other folder: up until 2028 there are one hundred and ten ships being built, and only ten of them are mega-ships. If the mega-ships are the way for the future, why are smaller ships for 3-4,000 people being built at a ratio of 5 to 1? Yeah, sea trade cruise; go all the way to 2028. You all do not know that? You are not taking that into consideration? If the mega-ships were the answer to the cruise industry, why are we not building 90 of them between 2028? Why are we building 90 smaller ships?

[Inaudible interjection]

Mr. D. Ezzard Miller: It is only three out of the ten of them that come to the Caribbean, you know.

[Inaudible interjection]

Mr. D. Ezzard Miller: Remember they did the same thing to us with the Freedom Class. Those of you that were around will remember when the Freedom Class came out— *"cannot be tendered; gotta have a cruise pier"*. [For] six months they would not send them to Cayman; passengers demanded that they come to Cayman and for the last several years we have been tendering the Freedom Class ships, with three to five thousand people on board, quite effectively.

Mr. Speaker, just to make my position clear, when I asked them, I got very little information from the people who own the tender companies, you know. They do not support Ezzard— they come into a restaurant and would rather stand up than sit at a table by me, eat turtle; but that is hard evidence. You can't tell me, that our cruise industry is going to stop and all Caymanians are going to be out of work, if we do not build piers for mega ships, when the shipping companies themselves are not building mega ships. Where is the justification?

[Inaudible interjection]

Mr. D. Ezzard Miller: Exactly. See what happened in the Bahamas? They spent much money in Nassau. Dredged it out deeper to take these mega ships— paying the mega ships to come there— now all of a sudden, the mega ships are developing their own water park and their private island, and the Bahamians have withdrawn their subsidy, because they know they are not going to come back, they are going over to their island.

I want the Minister of Tourism to tell me which country that had consistent growth of the cruise industry year over year, increased that growth by putting in a pier and the people in the country are happier because they put in a pier and they get more business.

[Inaudible interjection]

Mr. D. Ezzard Miller: And we get more business than anybody else. Why can't we just remain unique? Why can't we just remain unique?

The question is, with all the problems we have in this country, I do not have a receptionist in the North Side Clinic— can't get a thing done there, unless it is Tuesday morning or Friday afternoon. Somebody goes there to get bandages, can't treat them, gotta send them George Town. The doctor comes two half-days a week. Big, big, big, expensive complex, you know. Patients in North Side do not plan to get sick only on Tuesday and Friday, you know? We can't hire staff for that reason. Every time we get a good nurse, they run them out, but we goin' spend millions and millions of dollars because, Mr. Speaker, once you put the people on that dock, *"they have to go somewhere else; you gotta get them off that dock."*

[Inaudible interjection]

Mr. D. Ezzard Miller: What we have there, in road structure, cannot handle 2.5 million tourists a year. What is the cost of the by-pass you all are putting behind there, by the Primary School? Who is paying for that, cruise lines paying for that too? What is it going to cost the country ecologically, to approve that Barkers project— to dig up that black grass, make the whole place wash away? That is where they will have to go. There is no place on Seven Mile Beach to go.

We are reducing the access to Seven Mile Beach by private development and hotels, but we are increasing stay-over tourism. Where are they going to go? To that little piece of beach we own down there, where they put all that yellow sand? The cruise industry themselves said it, you know? In their campaign down here. They never called me to invite me to any meeting— I would have liked to go, because I got many questions for 'em, but I want them on a public forum. I hope when they come back you send them to that Town Hall, public forum, so I can bring some of the people from North Side and ask them some serious maritime questions.

They said that we need more facilities if they are going to stay longer, and that is another white lie. They can't stay any longer in Cayman because the departure from Cayman has nothing whatsoever to do with what is going on in Cayman— it has to with Estimated Time of Arrival (ETA) Cozumel or Jamaica. The can't stay here until 7-8 o'clock at night and arrive in Cozumel at 1 o'clock in the afternoon because the whole route is planned and structured, and they leave port not by a specific departure time, but based on ETA at the next port.

[Inaudible interjection]

Mr. D. Ezzard Miller: I just brought down a little 24-foot from Ft. Lauderdale. Every time we left, my brother

planned for us to arrive where we were going at a certain time. We departed here, in order to arrive there, at a specific time.

For instance, we did not want to get to Cuba at night; we wanted to see where we were going, so we left Key West at night, to get to Cuba in the day. They would have to change their whole broad structure and increase the cost of the trip— and those rednecks, bread and butter tourists that they bring on those cruise ships cannot pay another hundred dollars; they would not be able to afford the cruise.

[Laughter]

Mr. D. Ezzard Miller: Most of them drive from Ft. Lauderdale or Miami and park their car; and again, you don't have to believe me. Cruise ship comes in Wednesday, you do what I do: go sit down upstairs the Royal Watler Cruise terminal and look at them going back on-board the ship and look who has baskets of stuff with 'em. See how many got anything in their hand. Most of them never bought a thing.

You do not have to believe me. I invite every one of you to go sit on the back porch of Royal Watler Terminal, and observe the cruise passengers getting on the tenders, and tell me how many of them had any basket in their hand that they bought locally, or any big bag of stuff. Listen to 'em: *"Well, you know, we can't spend any money here, because we spent \$25 in Montego Bay and things are a little bit cheaper in Cozumel, so we need to go down there and maybe we can buy one tee-shirt."*

Go and listen to them. They are people like us— and the Minister of Tourism's theory, that if they stay longer they will spend more money, I told him in Cayman Brac: the next person that comes into your shop, lock the door. Don't let him get out until he spends every dime he got in his pocket.

[Laughter]

Mr. D. Ezzard Miller: That is the kind of false economics we are building these cruise piers on. The cruise industry has no interest in doing something good for Cayman, unless they are going to get the biggest advantage out of it. The only reason they stop in Cayman is because we happen to be in the right place geographically, and our people offer them friendliness and good service, et cetera. That is what we need to improve.

Now, Mr. Speaker, I want to deal with this cargo business a bit because—

[Inaudible interjection]

Mr. D. Ezzard Miller: I do not disagree with the Premier that there was always mention of improving the cargo; but, for the last year, I have been coming George Town early in the morning and driving through, and I don't see

no cargo ships out there on what we call the stream waiting to get to the dock.

[Inaudible interjection]

Mr. D. Ezzard Miller: They come in perfectly at night, and they are gone. When you talk to the shipping industry, as I did, we have the best system in the world right now.

We get freight from Miami two, three times a week, and they are not leaving any containers there that they could not bring. If you put a bigger ship, they come once every two weeks, because the ship is not coming to Cayman half-full. The industry doesn't operate that way, so what happens? Perishables got to be brought in by airfreight. That is more expensive.

How many of you remember the *Inagua Cloud*? Remember she used to come into George Town Harbour? A little boat; she used to carry about forty containers. From that, we went to *Hybur Clipper*, and she brought a couple hundred, right? Anybody recall a reduction in container costs? Eh? When we went from *Inagua Cloud* to *Hybur Clipper*, does anybody recall a reduction in container costs because the ship was bringing more containers?

[Inaudible interjection]

Mr. D. Ezzard Miller: His memory is good, you know, because I was in the business then. You know something? The price of containers almost doubled. Why? Because it took more to operate a bigger ship; this idea that you are being sold, that somehow, we are going to get bigger container vessels here and all of a sudden, the cost of living is going to drop, is not going to happen.

I will hold the Premier to those solemn promises he made this morning, that bigger cargo ships are going to reduce the cost of living; because from the information I have, the shipping industry doesn't work that way. In my experience, when we went from *Inagua Cloud* to *Hybur Clipper*, which was a much bigger ship, the cost of containers went up.

Now, no shipping company in this country has told Ezzard Miller that they need to bring a bigger ship to the Cayman Islands, or that they are going to introduce bigger ships if we expand the port. If the government has such evidence, I would like to see it.

Mr. Speaker, I apologized for not rising as quickly as I normally do because I was trying to find the latest copy of the Port Authority's Annual Report, and it was the 2016 Financial Year. Economic Assessment over the past year— now, this is (2016): "The Port Authority's Financial Performance for the Financial Year ended 30th June, 2016 showed a mix result over 2015. The Port Authority of the Cayman Islands, PACI, recorded a loss of \$1.3 million for the 12-month period in comparison with a profit of \$350,000 for the Financial Year ending 30th June, 2015." [UNVERIFIED QUOTE]

I hope 2017 and 2018 are better than that, because this does not indicate that we need to expand the port; and if we are going to take away the subsidy that the cruise industry gives the Port Authority now, what do we have to do? Increase port charges.

[Inaudible interjection]

Mr. D. Ezzard Miller: I do not know. I nah made those numbers up; I just got the Page to bring me the last report. You would think, if there is such a demand for increased port capacity, they would be rolling in money, so we will see.

Mr. Speaker, I also have concerns about the national count because I, too, would like to know how my constituents vote; but I have a bigger question to the Government and the Elections Office Supervisor: Once we dump them all into one box, if there is a challenge and there has to be a recount, how are you going to match them back to each district's counter files to show they are legitimate?

[Inaudible interjection]

Mr. D. Ezzard Miller: I do not see what the problem is; everybody that you need to do the count in North Side Civic Centre— I assume that is where you are going to have the poll— is there. The observers, the Returning Officer... everybody is there. They could count those votes in an hour and a half, so if there is a recount, I hope there is a possibility to ensure that no extra ballots were put in by either side.

I know how secure elections office is and our process and all that, but you all remember some time ago we had fifteen or twenty West Bay votes in the Bodden Town box.

[Inaudible interjection]

Mr. D. Ezzard Miller: Yeah, yeah, yeah, that was a court case; in the late 60s or early 70s, so...

[Inaudible interjection]

Mr. D. Ezzard Miller: History has a way of repeating itself, you know. I know we can take all the precautions, right, but I really don't see the need to transport the ballots to George Town to count them. There is not going to be anymore expense. There is probably going to be an additional expense because you have to keep them on for another two days while they count them, whereas you could do it there for an hour/an hour and a half, and each constituency's results would be out by midnight that night.

Mr. Speaker, I do not support the building of cruise piers in George Town Harbour. I have two specific reasons for not doing so: my concerns regarding the ability to safely operate the way they are designed now, as I am advised by mariners in my constituency;

and the risk of damage to Seven Mile Beach or the George Town dive sites— remember, their own report says that all those little dive shops and restaurants on the waterfront close. They close because there is nothing left out there to dive. You are going to transplant it somewhere further away.

Even if you go down towards Pageant Beach and Soto's Reef or Paradise Reef, whatever it is called, and successfully transplant it there, these ones here, that have the people who walk off the cruise ship and walk straight into the water, [would] have to close; and while I hold no grief for the tenders, they are Caymanians, and they have Caymanians employed, and I know at least one restaurant whose total survivability now, is based on selling lunches to the people who steer those tenders— so, while it may create some more jobs, we are going to un-create quite a few.

Also, nobody has offered anything to the public as to the logistics of completing this project. How are we going to operate the cargo port with dredges and construction in the harbour? Where is your assembly site going to be? This lil' piece of land next door here? It can't hold it. This is not a small project. You say we are increasing the cargo space— that is another white lie. If you say you are lengthening the pier, that is additional, but, remember now, that when the cruise ships leave in the evening there is no fixed stuff— we can use that whole section where the buses are for cargo, if we need it at night.

What they are designing here, is a wall and buildings. You cannot move them if you need it for cargo so, even if by some good miracle the economy continues to grow, and we do need to bring bigger ships with more containers, and the cruise industry falls off, what are you going to do? Knock all those buildings down, so you can put one container where the building was before— because the plans I see, have "development" on it.

I am not convinced that the survival of the cruise industry— you know something, the only thing that I have heard more death sentencing of than the cruise ship industry, is the Legal Practitioners Bill? Every time somebody mentions that, "*The financial industry is ruined, we should pass that law.*" From the 70s and 80s we have been told, if we don't build these piers, the cruise ships are not coming. The people who pay for passage on the cruise ships consistently tell the cruise people, we want to go to Cayman.

You know why Jamaica is hoping we make this mistake? Because the passengers that would normally go to them on a mega ship nah goin'. They are coming to Cayman on a smaller ship, and my concern is that the mega cruise ships are going to go the same way as the 380 Airbus. Not going to have any more of them [made], because I have not talked to anybody who has been on a cruise, on a mega ship, who thought it was a great experience, just because of the sheer number of people that you have to contend with.

Mr. Speaker, with those few words I will not support the port. I support the People's Referendum, and I can promise you, that as I did in the election, I will be beating down every door in North Side to go and vote against the cruise port.

[Inaudible interjection]

Mr. D. Ezzard Miller: I am going to have— well, you all are doing it, and every referendum that we have had here, I had to do it to get a result I could audit and Mr. Speaker, they are the government.

I could stand here all night and beg to change the date. I am not worried about the date, I am bringing my people out to vote; and I believe that CPR can organise and get their people out to vote too— and I can tell you, Mr. Speaker, many people, because I got many of civil servants... and we say it does not happen and all this kind of stuff, right, who would not sign the petition because they had to be verified, but they assure me they will be voting against the port.

I think it is a wonderful exercise in democracy and I congratulate the CPR group for getting it done.

[Desk thumping]

Mr. D. Ezzard Miller: I congratulate the Government for bringing the Referendum Bill, but I think it is time for us to bring a proper Referendum Law.

All of this stuff about registration, et cetera, two governments ago accepted a Motion from the now Leader of the Opposition and I, to reform the Elections Law and get rid of all of it. This three-month delay and some Magistrate who does not know who I am has to sign off because I can vote; create an Electoral Commission... Those are the things that we need to concentrate on to ensure the continuation of this wonderful democracy we enjoy, not building a cruise pier. Take the \$200 million and put an above-ground monorail from Savannah to West Bay.

Thank you, Mr. Speaker.

The Speaker: The Member for Savannah.

Mr. Anthony S. Eden, Elected Member for Savannah: Thank you, Mr. Speaker. I promise I will not be very long at all.

As I listened to my colleague for North Side, he certainly came up with some sobering thoughts; at times, it was almost scary. I would certainly encourage the Government to look at some of these ideas that he put forward, some of the information that he shared with us by the very experts that we chose to help us with this project, so that it is being done the proper way.

First of all, I would like to admit that I am one of the three Musketeers who abandoned the PPM some time ago, but old people always say there are only two people who do not change their mind: a fool and a dead

man. I am a bit foolish at times but, certainly I am still alive.

Mr. Speaker, as this cruise port facility has evolved over the last several years and recent months, I was interested— and maybe in their reply, either the Deputy Premier or the Premier may indicate. To me, it seemed a bit presumptuous that the selection of the bidder was done even before the results of the referendum, and even when it was going on, that we would take certain steps.

I then saw in the paper last week— as others have alluded to— that Verdant Isles is planning to do a job fair. This is good stuff, Mr. Speaker, but as I have known and seen, many of these job fairs make promises but very rarely, do Caymanians get anywhere with them.

[Desk thumping]

Mr. Anthony S. Eden: At this time, I, too, would like to say that the CPR has done a great job. When I saw the daunting task of having to gather over 5,000 signatures and the handful people who were doing it, I did not see how it could be done; but they certainly persevered and— for the first time in history— have been able to bring a People-Initiated Referendum to the Legislative Assembly.

In my seven successful elections, second only to you, Mr. Speaker, in this House, there have always been certain guidelines, in a day that a poll was taken, in regards to the amount of money that people could spend on the campaign; and then, the polling day was a dry day. I do not know why we have to change the tradition.

We talk about the tourists will come here and will be denied this and that. For a few hours, for something as important as this, I think we should stick to what we have done all the elections that I remember. Quite enough booze going around at this time, Mr. Speaker.

The other thing I want to briefly speak on is the subtle choice of the polling day on the 19th December and the Yes or No that is going to be on the ballot paper. Mr. Speaker, in my alphabet, N always comes before Y, and when you talk to people who prepare these things, the way options are listed on the ballot paper, it has been noted that a number of people— for whatever reason— will tick off that first answer. In this instance, where it is a Yes or No, that this will be ticked off so, whoever thought this out, and for whatever reason, Mr. Speaker, I think it was strategically done, but that is left for the people to decide.

Mr. Speaker, the next concern that I have was similar, at times, to the Member for North Side's. Before we get into having this facility built, the number of people that I see in Central George Town, I want to know— and maybe you guys can share with me— when we are dumping 10, 12, 15, 20,000 people at one time into George Town, with the limited infrastructure (restrooms

facilities, et cetera) that we have, how are we going to deal and cope with it? How are we going to divert the traffic or route the traffic, for whatever reason through George Town, South Sound and wherever? If someone could make some comments on this on their winding up.

I think it was on Friday or this morning's paper they were drawing a parallel of the amount of money that the stay-over tourists spend: \$650 million. Compare that to the cruise tourism, which they say is about \$200 million. We just want to be careful, Mr. Speaker, that we do not cause a problem for those people who spend the most money to come here for rest and relaxation, peace and quiet, getting away from cement jungles, and coming into George Town with it being so crowded.

Mr. Speaker, another question I have, and I know the Premier mentioned this morning that part of the payment to the tenders would be going to Verdant Isle. How will this help as they go forward, and will the tenders no longer be needed; will the smaller ships coming here, carrying less passengers, be able to use the docks? What happens in an instance like that— will there still be need for tenders for those ships that anchor there?

Mr. Speaker, this is a very touching subject, very emotional. People throughout the islands, all of the districts, are concerned that we do the right thing. I just want to get as much assurance as possible that protection is being put in place that, God forbid, anything happens. Earlier this year a Northwester passed through, Mr. Speaker; God forbid that something like that hits while they are starting the dig/dredge preparation out there. I pray for God's help that we never have to get into that.

I have a question on the Register of Voters, through you, Mr. Speaker. Will that list be purged of those who have died, because there was something on some media, indicating that a number of diseased people are still on that list. I wonder if Mr. Howell will be able to say what is happening, and whether that is going to be purged before the election takes place.

I want to close, Mr. Speaker, I know the Honourable Premier said that if it went against the Government it would be a small miracle. Mr. Speaker, with the God that we serve, anything can happen. I would suggest that we be careful when we talk about these things. Let us all walk on glass bottles when we make these comments.

Thank you.

The Speaker: Does any other Member wish to speak? *[Pause]* The Member for George Town South.

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

[Pause]

Ms. Barbara E. Conolly: Mr. Speaker, I rise to give my contribution on the People Initiated Referendum regarding the Port Bill, 2019.

I am delighted to be speaking this evening on an issue of critical importance to this country. An issue that is fundamental to both our economy's health, and the well-being of our citizens; and one that, I hope, will finally be put to bed in a matter of weeks. Of course, I am talking about the cruise berthing and enhanced cargo facility.

Mr. Speaker, I would first like to congratulate this government for its tireless work in getting to this point. After six years of very hard work, we are now closer than ever to securing the cruise tourism industry for the next generation. In so doing, we will secure the livelihoods of the many of thousands of our people who depend on cruise tourism for their very survival. The project will also deliver the enhanced cargo facility which is vital for our economy and to keep up with the needs of this country, but there is one last hurdle for us to jump before work on the project can begin, and that is the referendum in December.

Mr. Speaker, in recent months, I have been deeply concerned about the misinformation peddled by those who oppose the construction of the port. The cynical manner in which they have tried to undermine this project is unbecoming of us, as a mature society; however, I have faith in my constituents and trust that they will listen to both sides and come to their own conclusions, so, in this spirit, Mr. Speaker, I would like to say a few words about the project and why I feel it is of such an enormous strategic importance to these Islands.

Many people seem to forget, Mr. Speaker, that we are a group of very small islands in the middle of the ocean. Our ports— airport and seaport— are vital to this country; we do not have an industrial or manufacturing base or a large agricultural sector, and our economy is not made up of a plethora of industries. We have two main industries, financial services and tourism, and we are highly dependent on these for our livelihoods.

Mr. Speaker, I have been consistent in making my views very clear that we need to foster greater diversity in our economy. We must create the conditions for new industries to establish and grow, providing Caymanians with more varied job opportunities, while building greater resilience into our economy; but none of this changes the reality that we remain highly reliant on tourism, and that we have a duty to do everything in our power to ensure that it not only survives, but thrives, because without tourism, Mr. Speaker, our people and our families will suffer.

Mr. Speaker, it is worth reminding those listening and watching, that cruise tourism supports 4,500 jobs directly. It puts food on the table and keeps a roof over the heads of thousands of families, the majority of whom are our fellow Caymanians.

The evidence is clear: our cruise tourism industry will suffer if we do not build the cruise berthing facility and these jobs and livelihoods will be under threat

as cruise passengers' spending falls. It often strikes me, when listening to opponents of the port, just how relaxed they are about potential job losses in the thousands.

Mr. Speaker, I would like to put the question directly to those who oppose this project: if we fail to build the piers and our cruise tourism sector goes into decline, how do we cope with the unemployment? Where would these people work? How will we replace \$100 million of direct expenditure into our economy? The truth is that opponents do not have the answers to these difficult questions.

They know it is impossible for everyone to work in the financial services and that we cannot simply replace cruise tourists with stay-over tourists; we would need more hotels, more restaurants, and we would lose more of our precious beach, but Mr. Speaker, job losses in the cruise sector would not be the end of it— far from it. What is often missed, is just how far the ripples would be felt across society, if cruise tourism fell into terminal decline.

Think of all the businesses that are indirectly connected to cruise tourism: the suppliers, shops, and food producers which provide local restaurants with produce; the mechanics that service taxis and tour buses; the professional services that assist with business matters. Electricians, plumbers, builders, painters, and the list goes on. They would all have done work for businesses whose primary market is cruise passengers, and they would all be affected if cruise tourism declines.

This is not new, Mr. Speaker. It is something that Mr. Norman Bodden, a former Minister of Tourism and a well-respected and honourable gentleman in these islands, and his government, realised in the early 1980s, when they hired a New York advertising firm to lure tourists to these beautiful islands. Their plan was simple: to attract North American families to a safe, relaxed and comfortable destination.

Mr. Bodden was featured in a news article recently and said, **"We realised that cruise visitors were a great tool to supplement our ongoing tourism development as well as the fledgling financial services industry. Our reasoning was that cruisers would help spread the word about the Cayman Islands and a certain sector would fly back to Cayman as return visitors, newly committed to these pristine islands and make investments here that would benefit all"**— and I reiterate all— **"as it is said that 'the tourist dollar trickles down' to benefit everyone. That still occurs today."**

Mr. Speaker, the truth of the matter is that the health of our entire economy is at risk. If we fail to move forward with the cruise berthing and enhanced cargo facility, we are risking not only a slowdown in economic growth but, possibly, even a recession; so, while many opponents do not rely on cruise tourism for their direct income, there is no doubt in my mind, that they, like everyone else who calls the Cayman Islands home, will

feel the effects of an economic downturn when it hurts most.

Mr. Speaker, I have been speaking to my constituents about this project and I heard their concerns about over-crowding. The opponents of this project have been instilling fear in people, that building the cruise piers and maintaining our cruise tourism industry will lead to gross over-crowding of our beaches and Stingray City. Nothing could be further from the truth.

[Inaudible interjection]

Ms. Barbara E. Conolly: Building the cruise piers will finally allow us to intelligently and proactively manage our cruise tourism product without having to wait in line long hours to get off and back on the ship; our cruise guests will have the time to experience attractions in the Eastern Districts such as Pedro Castle, the Botanic Park and Crystal Caves. Entrepreneurial Caymanians will establish new businesses there to provide services and positive experiences for these guests.

Mr. Speaker, I heard the Member for North Side say that it takes much time to embark on cruise ships. I have been on several cruises, Mr. Speaker, and I have my first time to spend any more than ten or fifteen minutes in line to return.

Mr. D. Ezzard Miller: Just to clarify, Mr. Speaker, I never said anything about the time it would take to get on. What I said was, that the consultants said that building the cruise piers was not going to increase the speed at which passengers could disembark. That comes from the document I quoted from.

Ms. Barbara E. Conolly: Sorry if I misunderstood you, Member for North Side.

There is also the opportunity for two tours, morning and afternoon, which means fewer people at one attraction at any one time. Building the cruise berthing facility is our opportunity to design and manage this industry in a way that reduces congestion, provides more opportunity for businesses and employment in the Eastern districts and to reduce crowding on Seven Mile Beach and Stingray City.

Building the cruise berthing facility does not mean that we become victims, as the opponents of the project like to portray, but rather, ensures that we bring a solid, predictable market to our shores every day; and provide a living for thousands of Caymanians, and opportunities for our young people leaving school every year.

Mr. Speaker, I have lived on this island my whole life and I got into public service because I believe strongly in doing what I can to make a better life for our people. I would not stand for anything that I thought would be detrimental to our environment or our way of life. That is why I firmly stand behind this project; I stand behind it for our people and their livelihoods because

thousands of families depend on this industry and it is them I think of when I see the plans for this project.

Mr. Speaker, I have one final question: what is government for? In my view, good governments protect the economy, create opportunities for the next generation, provide for the most vulnerable, they build infrastructure for the future and they protect public finances. This is what responsible governments do. They most certainly do not let successful industries wither away and they do not sit on their hands while jobs are lost and the economy slides; and, Mr. Speaker, I hope that each and every member of this honourable House here this evening, will think hard about this in the coming weeks, as we head to the polls and make a decision that will have a profound impact on our people for many years to come.

Mr. Speaker, I will close with another quote from Mr. Bodden's article. He said, **"In our growth and development, we have just invested in a modern and attractive airport terminal and the waterfront should not be left behind. Having a berthing facility and an upgraded cargo port done together, seems the practical way to go."** He is right, Mr. Speaker; a berthing facility and upgraded cargo port is the practical way for the Cayman Islands to secure the livelihoods of the many thousands of our people who depend on cruise tourism for their very survival now and into the future.

Mr. Speaker, I would like to say that I take my responsibilities as an Elected Representative to the people of George Town South, and this country as a whole, very seriously and I respect the views of those that oppose the port improvements. However, like the honourable Premier stated in his contribution, the Government that I feel honoured to be a part of, campaigned on the basis of a set of manifesto commitments; and securing the new cruise berthing and enhanced cargo facility was one of the promises that we made.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: The Honourable Premier.

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: Thank you, Mr. Speaker.

Mr. Speaker, we are finishing a bit earlier than we had planned, but I think we have done a decent day's work. I move the adjournment of this honourable House until 10:00 am, tomorrow morning.

The Speaker: The question is that this Honourable House do now adjourn until 10:00 am tomorrow morning. All those in favour, please say Aye, those against, No.

AYES.

The Speaker: The Ayes have it.

This House stands adjourned until 10:00 am tomorrow morning.

At 9:42 pm, the House stood adjourned until Tuesday, 29th October, 2019.