



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

**Tuesday
29 October 2019
(Pages 1-71)**

**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
TUESDAY
29 OCTOBER 2019
10:47 AM
Second Sitting**

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

The Speaker: Good morning.

I will call on Honourable Leader of the Opposition to say prayers this morning.

PRAYERS

Hon. V. Arden McLean, Leader of the Opposition, Elected Member for East End: Let us pray.

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

Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the 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. 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.

This Honourable Legislative Assembly now resumes its sitting.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: None.

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

The Speaker: None.

PRESENTATION OF PETITIONS

The Speaker: None.

**PRESENTATION OF PAPERS
AND OF REPORTS**

The Speaker: None.

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

The Speaker: None.

**STATEMENTS BY HONOURABLE
MEMBERS AND MINISTERS
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

SECOND READING

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

[Continuation of debate thereon]

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Last call, does any other Member — the Member for George Town West.

[Pause]

Mr. David C. Wight, Elected Member for George Town West: Thank you, Mr. Speaker for giving me the opportunity to rise and speak and make a few contributions to the people-initiated referendum regarding the Port [Referendum] Bill, 2019.

I am privileged to be able to address this honourable House concerning this nationally important issue. The balance and success of our country's broader economy may very well be determined by the actions taken under this Unity Government over the last several years.

I am proud to be able to say I support this cruise berthing and enhanced cargo facility, both of which stand to improve and secure the growth in multiple industries for the foreseeable future. Over recent years, I have attended many meetings and presentations in order to get as much information as possible. Many of these were open to the public and I attended to learn as much as I could and to get the public feedback first hand.

Mr. Speaker, I have never done anything or been a part of a party or group that has done anything to harm Cayman or the Caymanian people and I do not intend to start now. The Deputy Premier and our Government has made it clear to me and the public, that if there was any chance of any damage to the Seven Mile Beach, then we would not be having this debate. From before the preferred bidder was announced in July 2019, I have been constantly approached, messaged and received calls encouraging me to tell the Premier and the Deputy Premier to sign the contract and just build the Cruise Berthing Facility and Cargo Port.

Last week, while I was off-Island, I received two e-mails and I explained that I was off-Island and that I would speak to them when I came back. Then, I received one more this morning; so, it would be twelve since Saturday, Sunday and today. Twelve e-mails urging me to vote to put off the referendum date until 2020. Based on the number who have contacted me in support, compared to the number who have contacted me against, if I am to make a decision based on the feedback that I get personally—and I am not talking about when I read postings on Facebook because that's just public and is not coming to me from my constituents—then, I will have to vote 'Yes', in support of this Referendum Bill. However, I also have to make my decision based on my conscience and after considering all the information I have gathered, I come to the conclusion that I will be voting 'Yes'.

The merits of this project have been weighed and debated by everyone here not only over the last two days but for several years. Much of what has been said by those who have been lobbying against this project, have grossly misrepresented to the people and that needs to be corrected.

I often hear those opposing the port stating that Cayman must choose Quality over Quantity. Mr. Speaker, the very saying itself is grossly flawed on many levels.

Cruise tourism itself is based on volume. Even the smaller, older ships have a much larger capacity than any of the hotels operating in Cayman. A small ship by today's standards will bring a minimum of 2,000 passengers while on average most of the ships that call into George Town will be closer to 3,000 or 4,000 thousand passengers. By comparison the Ritz Carlton, our largest hotel has 363 rooms. Cruise tourism is quite different than many other businesses because not only can you target the quality customers, they also come with quantity, giving us the best of both worlds.

The Oasis of the Seas and its sister ships are the crown jewels of Royal Caribbean and consistently carry a demographic with higher disposable income. These ships each have a capacity of 2700 rooms. Our big four hotels, the Ritz Carlton, Westin, Marriott and Kimpton have a joined capacity of 1,244 rooms, or less than half of the capacity of one Oasis class ship.

Mr. Speaker, again, I present to you that the idea of having to make a choice of quality versus quantity when it comes to cruise tourism is a complete misconception; and unfortunately, Cayman is not even able to make this choice for quality because these ships sail past us weekly and will continue to do so until a berthing facility is built.

Speaking about quality and quantity naturally leads me into the discussion of another often misrepresented concept, the carrying capacity of our Island.

Those trying to hinder the progress of our country have been using the total number of cruise ship passengers per year as a measuring stick to say that

Cayman cannot handle any more cruise tourists. In doing so, they conveniently omit the fact that these ships are only here for the day. The real idea of carrying capacity is only valid when we measure it as it actually happens, and that is on a daily basis. By building the cruise berthing facility and spreading the arrivals of the cruise ships over the week we can easily increase the total passengers per year while creating a stable, even and manageable daily schedule.

When we speak of carrying capacity, those who oppose the port seem to assume that we are victims of our tourism industry. They seem to believe that cruise tourism is something that happens to us. They seem to believe that we do not have a place at the table to design and thoughtfully develop how our tourism works. Mr. Michael Bayley, CEO of Royal Caribbean, when he was here just a couple of weeks ago, met with industry and said that, "the key to a great guest experience, balanced with the needs of Cayman as a destination is intelligent conversation bringing all parties to the table, working together to make the most informed, intelligent decisions." He also pointed out that the newer, larger ships in his company carry passengers with an average of over 20 per cent higher disposable income than those on the smaller ships in his company. These larger ships are passing us by as long as we are not able to provide a berth for them.

[Pause]

Mr. David C. Wight: Mr. Speaker, we have long talked about the two pillars of our economy: Tourism and Finance.

Our tourism industry has two pillars itself: Cruise tourism and Stayover tourism, but unlike our two main pillars, these two are undeniably linked. Our Finance industry is very important to our economy and we must protect it; but we are heavily dependent on outside influences where our tourism industry is larger in our own hands.

Mr. Speaker, it has been documented that as much as 6 per cent of those who visit by cruise return to our Islands as coveted stay over guests. While 6 per cent may sound insignificant, when you factor that across 1.9 million cruise tourists, as we saw last year in 2018, it equates to 114,000 people. Those are 114,000 people who will return in the future to book hotel rooms, eat at restaurants, take tours and spend money across the entire Island.

Mr. Speaker, while it is a known fact that cruise and stayover tourism are joined, it is not just a statistic. Just this past Friday night as I returned home, on the plane, I sat next to a couple from Michigan. Without telling them that I am a Member of the Government, I asked them what was bringing them to Cayman. The husband proceeded to tell me that he originally visited Cayman on a cruise ship by himself, and in his own words it was far too short; but even with this brief visit, he loved his experience so much that right there he decided that he

had to bring his wife back. As I speak here today, they are enjoying a vacation at the Sunshine Suites.

Mr. Speaker, I just want to say that I was sitting in 29D and a man in 30C touched me on my shoulder and asked me if I would change seats with him so he could sit by his wife. So, I am taking that as a blessing to prove my point that some cruise ship passengers return as stayover passengers, just to emphasise what I am saying.

The choice is not to pick Cruise or Stayover versus the other, we need them both. We need the proper balance of both to satisfy the wide range of jobs and capabilities of Caymanian workers today and for the future. Any attempt to say that we must choose one over the other will result in a decline in our tourism as a whole.

Mr. Speaker, another thing I would like to discuss here is the blatant distortion by the CPR [Cruise Port referendum] anti-port lobbyists of the financing and costs associated with this project.

If we use the 2.3 million passengers estimated in the PWC report, even with the portion of head tax conceded to Verdant Isle, the Government in total will end up with almost \$20 million more in revenue over the next 25 years. I can say this because even though the total revenue from head tax to government would be around \$11 million less than we receive now, the Port Authority will increase their revenue by \$30 million. If we indeed do reach 2.5 million passengers, as was projected by Verdant Isle, over the next 25 years our government will be receiving \$39 million more, plus another \$45 million to the Port Authority for a combined \$84 million.

So, in fact, not only will our government not be losing money as the opponents would like you to believe, Mr. Speaker, we as a people will have a much larger revenue to fund other important needs like education, health care, taking care of the elderly and building other important infrastructure for the entire Island.

Mr. Speaker, it isn't as if all I have said thus far isn't enough. I will make the biggest point now.

As I have listened to the ongoing debate regarding the cruise berthing and enhanced cargo facility over the last weeks and months, I am struck and deeply saddened by the understatement and in some cases, complete avoidance of the crucial point, which is: Our cruise tourism industry is dominated by Caymanians.

Mr. Speaker, cruise tourism is a Caymanian industry. For over 40 years Caymanians have been hosting our cruise guests and making their stay here special. For those of us who grew up snorkelling, swimming and enjoying our Island, jobs in this industry are as close to our culture as you can get.

For those in the room who like statistics, here are some: Seventy per cent of jobs in cruise tourism are held by Caymanians; with approximately 4,500 people working in cruise tourism, that means 3,150 Caymanians. Compare that with just over 30 per cent in stay-over.

Mr. Speaker, the cruise lines have been very clear in their forecast for arrivals if we do not have a cruise berthing facility. They will not tender their new, bigger ships that carry the most affluent passengers. They have said it over and over again and to not pay them mind is pure folly. They could not have been clearer about it.

So, as the older ships are decommissioned, we will lose our cruise tourism industry. That, Mr. Speaker, is the harsh truth.

The business case estimated that arrivals would be reduced by half or basically 1 million passengers a year. I would expect all of you in this room to remember the recent lean times for this when cruise arrivals were that low. People were genuinely suffering. It is a terrible feeling to not be able to provide for your family.

To those who oppose this project, I ask: Where are we going to find more than 1,500 jobs to replace those that will be lost? What are we going to do with all those people, our people?

Mr. Speaker, now let's talk about the opportunities for more Caymanians to get into cruise tourism as business owners or as employees when the cruise berthing facility is built. It is ironic that the people in George Town Central, Bodden Town, East End and North Side have the most to gain from the economic opportunities this vital piece of infrastructure will bring; and the Members from these areas are the ones fighting hardest against it. Are they really for their people, or are they only for being contrary? Think of it this way: If cruise passengers are not required to line up for hours to get off the ship in the morning and then line up again for hours in the scorching sun or the driving rain to get back on the ship, they could take advantage of tours and attractions farther afield than Seven Mile Beach and Sting Ray City. Having a market like this is a gold mine for any entrepreneurial Caymanian. And yet, those sitting across the room want to take that market away. How can they be for the people?

For generations, Caymanians have worked hard to improve ourselves and our lot in life. We have an incredible legacy to share with future generations. We are the envy of our neighbours in the Caribbean and indeed around the world. What we do not have, yet, is a modern port and when I say "port", I mean a modern berth and cargo facility. Our existing infrastructure is falling to pieces; it has reached the end of its useful life. It needs to be upgraded. I do not have to remind anyone here, Mr. Speaker that Cayman is an Island nation. Our every need comes in through our port. My hat is off to our farmers and the growth of agriculture in Cayman, but it will never, ever be sustainable. How we can we survive if our port is crumbling into the sea? Why must we all pay extra for our goods because bigger ships cannot call here?

Mr. Speaker, I remember in the late 70s during the 80s and early 90s, I was working with the George Town Eddie Ebanks and Dale Ramoon as a customs

clearer for REMBRO (RE McTaggart and Brothers, which is By-Rite, Treasure Cove, Batter Shoes, Thompson Garage and in those days, we thought the cargo coming in was unbelievable. Now, is it incredible; it is increasing all the time. I was on the dock the day that the ship roll-on, roll-off, the first one came to Cayman. I was right the when the back of that ship laid the tail down, and from that, it has increased and it continues to increase. We will be getting a port, a cargo port free. Our cargo will multiply to satisfy the needs of Cayman and we will be getting a cargo port free.

The Government has negotiated an incredible deal for our people; not only do we secure the future of the cruise tourism industry long into the future, but we are not cash out of pocket for it to be built. There will be no upland development, which means that Caymanian entrepreneurs and their employees are the recipients of all the passenger spend on Island and we are finally able to intelligently plan our cruise tourism operations to provide a better experience for our guests, as well as to solve some of our most pressing problems, like congestion and too many people in one place at one time. And, let's not forget the other big one: we get a cargo port thrown in. How long would we need to wait before we had the cash to pay for that out of pocket?

[Pause]

Mr. David C. Wight: Mr. Speaker, in my opinion, this project, Mr. Speaker, is a win-win; except, of course, for those who have different agendas. I cannot help but observe that those who are most vehemently opposed to the project are looking at it from a point of privilege. If the opponents of this project are the wealthiest amongst us, who is looking out for the working class?

I campaigned under a manifesto that clearly supported this project. I campaigned on supporting opportunities for Caymanians to make a good living and to improve their lives. I made a promise to the people in my constituency that I would uphold my responsibility to deliver on that manifesto. I consider that manifesto my promise. Mr. Speaker, everyone has their own opinion and I do not take that away from anyone, but I have my opinion. That is why I vote 'Aye' to this Bill and on December 19th, I will be at the polls, voting yes: yes for cruise tourism, yes for lower priced cargo goods and yes for Caymanian Employment, and I encourage all Caymanians to do the same.

I thank you, Mr. Speaker for giving me the time to speak.

[Desks thumping]

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Last call— the Member for Prospect.

[Pause]

Mr. Austin O. Harris Jr., Elected Member for Prospect: Thank you, Mr. Speaker.

Mr. Speaker, 29 per cent. Twenty-nine percent of the people who I represent in Prospect signed the cruise port petition. Twenty-nine per cent after an entire year of canvassing by the CPR Group; not an immaterial number, Mr. Speaker, but hardly a majority, wouldn't you say? It suggests to me, Mr. Speaker, that from the Prospect perspective, the majority either supports the cruise berthing facility or it doesn't rank high enough on their list of priorities. Things like health care, education—traffic.

Mr. Speaker, I know, from listening to my constituents in Prospect, and by extension Red Bay, [that] when they speak, the number one issue on their mind is traffic; and for some of them, it is an issue of national importance, but we are not here today to discuss traffic. Twenty-nine per cent is also very telling, particularly against the backdrop of all of the criticism which I have received personally on this subject.

As all will recall and often will repeat, I ran in 2017 on a campaign against the cruise port. In a constituency that, by those numbers, clearly supported the port yet they elected me anyway. I guess they liked my other political ideas and plans for the way forward, more than they cared about my opinions about the port. Things like cleaner and safer streets, Mr. Speaker; better roads with better lighting, reduced stress in the morning commute. All things that I am proud to say have been delivered to Prospect over the past two years by this administration and by the hard work of yours truly.

Despite that success, Mr. Speaker, some of the loudest voices in this debate against the port, some regrettably from this very room, have resorted to saying things like Prospect deserves better. Ironically, and I suppose thankfully, Mr. Speaker, these critiques come from people who reside outside of Prospect; thus proving, once again, ignorance is bliss.

By my count, Mr. Speaker, Prospect is doing just fine, and with more community enhancements still to come, both in Prospect and our shared boundary partner Red Bay, Prospect is positioned nicely to continue to flourish, exactly according to plans. And we are supported by hard-working and committed members of the Prospect and Red Bay Community Group who want what I want, Mr. Speaker: the very best for Prospect and Red Bay.

Mr. Speaker, when I became MLA with responsibility for Prospect in May 2017, one of my closest advisors and friends came to me and said something that has remained with me these past two years. He said, "*Austin, sometimes you are going to have to get used to the fact of people not liking you and being very vocal in their dislike. Pay no mind, my son, it is par for the course,*" he said. "*You are only considered an honourable man after you demit office, not the other way around. Stay through to your convictions, hold your*

ground." Sage advice, Mr. Speaker; an advice, as I said, that has stuck with me and I intend to do just that.

Convictions, Mr. Speaker, my convictions—or should I say my previous convictions—have proven to be the ammunition my critics have elected to use against me on this issue of the cruise berthing and port facility project. I guess it is another example that one should be careful what one says, lest those words be used against you.

In particular, Mr. Speaker, what has garnered the most criticism is my change of conviction or viewpoint on this project since that faithful day in September, 2018 during the first Meeting of the 2018-2019 Session, the State opening of this Honourable House, which was held in our beautiful Cayman Brac.

Mr. Speaker, from a podium similar, if not identical to this one, I painstakingly took the time to outline my views and why they had changed. Over the course of the past year, those views have been distorted by lies and confusion intentionally brought about by the CPR Group and their leadership muppets and chaos has become the order of the day proudly funded by private donors with commercial or political interests, not so much national interests, Mr. Speaker.

To be clear, I refer in a derogatory manner, admittedly, only to the persons I define as the leadership muppets, not all of them.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: As a matter of fact, it is really only two people, Mr. Speaker, in all of this who have really gotten on my nerves; it certainly is not the 5,000 citizens who signed the petition, 29 per cent of which call Prospect home. I have not heard their voices on the radio. It is really just two people, Mr. Speaker.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: I will speak to them in a moment.

Oh, I have taken some licks, Mr. Speaker, make no doubt about it, but I have not interfered with those licks or attempted to defend myself, not because I can't but because I chose not to interrupt the democratic process. I promised myself, however, as God is my witness above, [that] they will not escape my glance, not in this place; otherwise I would not feel good about myself, but I will be honest: the CPR Group, many of whom either are, or were, my friends, have to consider how gullible they have been to have allowed two rotten apples to spoil the bunch.

After all, the CPR Group have gone from saying, "*We don't oppose the port, we just want more information*", to "*Down with the port; no matter what the cost, no matter what the information may be, vote No.*" Despite, the plethora of information that has been shared on this cruise berthing and port facility project since the preferred bidder was announced, which has

included a dedicated website containing all of Government's information, FAQs, reports, etcetera; a visit from Verdant Isle Partners themselves, who did the media rounds while also meeting with the Government and key stake holders.

They tried to meet with the Opposition and the CPR Group but they refused. Clearly, again, another example that it is not information they want but demands they wish to make. Despite all of these efforts, Mr. Speaker, we still find ourselves at these crossroads today, debating the Referendum Bill that will take us to the Referendum Vote day on December 19th, 2019.

Mr. Speaker, once again I rise to outline why my views have changed. Not so much to address the critics who frankly, will never be satisfied—their only mission is to frustrate this project to the point of stopping—but instead, I will seek to focus primarily on that 29 per cent which, admittedly, represents persons who call Prospect home, many of whom I believe have been misled by the single-minded CPR Group, while others may yet indeed, have some legitimate concerns.

It would be my goal, Mr. Speaker, to relieve those concerns here today by sharing what I have learned, in the last two years, that has changed my mind to the point that I now support the cruise berthing and port facility as it is being proposed. However, before doing so, I must address some of the comments made by two individuals who I will be naming in this honourable House as none other than Mr. Johann Moxam and Mario Rankin; oddly enough, two persons that, were it not for me and *Cayman Crosstalk* when it was worth listening to, no one would even know their names, so I suppose it is my own fault, Mr. Speaker.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: I have always maintained, Mr. Speaker, whether in my former life or in this one, that we do not always have to agree in order to have a good conversation. As a matter of fact, we are likely to learn more from each other when we agree to disagree; but these two individuals, Mr. Speaker, have repeatedly made this cruise referendum conversation far too personal.

They have criticised and demonised anyone who shares an opinion contrary to their own narrow view. Me, more than anyone, and have often referred to me and some of my colleagues, also newcomers to this legislative rule, as “pigeons”, Kool-Aid drinkers, and uneducated.

What about them, I ask Mr. Speaker; two individuals who like many in this House today are claiming to be lily-white, were once upon a time also supporters in the concept of cruise berthing but, unlike those in this House, Mr. Speaker, not only were they supporters but you and I know, that they both hoped to position that support into some form of pecuniary advantage and we will leave it there.

In the words of another one of my social media critics, “*when the money was good, their opinions were different*”. History, as they say, have a tendency to repeat itself because once again, thanks to the CPR donors, the money was good and their opinion is yet again different. Who is worse, I ask—the individual who changes his mind when he is presented with new information versus the one who changes his mind in return for financial benefit. Which one of these would you rather have as your representative? I leave that question for Members to ponder.

[Inaudible interjection and laughter]

Mr. Austin O. Harris, Jr.: In the past, Mr. Speaker, I stood against the wholesale slaughter of our marine environment. I stood against upland development that would create infrastructure that would compete against local merchants and businesses while also threatening Seven Mile Beach, our bread and butter in tourism. Most of all, I stood against borrowing and future debt burdens for this country as a result of building this massive infrastructure project.

So, what has changed? Well, unless you have been living under a rock for the last two years, quite a lot has changed. Put simply: the cruise berthing and port facility which I debated so passionately in the past, is not the same cruise project that has been offered under this administration by the honourable Deputy Premier with the support of this coalition Government.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: It is an entirely different project from top to bottom, one that has taken into account the past ten years of conversation on this topic, Mr. Speaker—my conversations—if not the past 25 years of conversation on this topic and has produced a concept that we all can and should get behind.

Mr. Speaker, the cruise berthing and port facility project, as proposed, will deliver world-class infrastructure at no cost to the public purse. No borrowing, no debt, no financing charges, no guarantees. All risks carried by the cruise lines themselves to build it, finance it and maintain it over the life of its existence.

The Deputy Premier and the Member for George Town West recently attended the Florida Caribbean Cruise Association meeting held in Puerto Rico, I believe, and as I am told every Caribbean island, every Premier, every Minister of Tourism, everybody wanted to get five minutes with the Cayman team. Why? Because they wanted to find out how it is that the Cayman Islands were able to broker a deal that is entirely different than any other port development project throughout the rest of the Caribbean, for the reasons that I outlined.

That is where a thing makes me proud, Mr. Speaker. Proud of my two colleagues for the job they did but proud, more importantly, because the Cayman

Islands are once again becoming leaders in our region, that shining beacon that guides the actions and activities of the rest of the region. Not bad, for 102 square-mile islands.

It is a project that will deliver a new design that will mitigate unnecessary environmental destruction by reducing the overall dredge volume by 31 per cent and decreasing the total dredge footprint by 11 per cent. Other key environmental features include a 20 per cent reduction on the overall environmental impact from the previous plans with 30 per cent of the coral removed being relocated as part of the successful partnership between Verdant Isle Partners and Polaris Applied Sciences who, as the Premier noted, have already achieved success between 2016 and 2017 relocating large sections of limestone and damaged coral in both West Bay and Eden Rock, George Town; as a result, I might add, of cruise-ship damage.

The Speaker: Honourable Member, I am taking careful note that there are visitors to our gallery who normally do not come and they would not know the rules. I did mention some of the rules yesterday and I will remind those who come, that they are not to try to engage Members in the Chamber.

Mr. Austin O. Harris, Jr.: Thank you, Mr. Speaker. And thank you to the Serjeant for enforcing those rules yesterday.

I would only add that I welcome the faces in the gallery, they are citizens of this country and by all means we encourage persons to participate in our democracy; but we cannot use the excuse that they are unaware, because they were here yesterday and those rules were repeated to them then, but some like to push their luck.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: Mr. Speaker, I would like to correct statements made yesterday by the Leader of the Opposition who stated in his contribution that "*Cayman loves to be first to attempt coral relocation and to be successful at it.*" It is unfortunate that he is not in the room right now but, that is okay.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: That is right. His colleagues are here, I am sure they will repeat it to him.

The truth of the matter is, Mr. Speaker, that the Honourable Leader of the Opposition is about two decades behind in the news. Coral reef restoration and management techniques are in ever-increasing demand as a result of the global decline in coral reefs world-wide. Coral transplantation has greatly increased in the past two decades in numerous locations across the globe—19 locations, to be specific. A cursory search of Google would reveal this, but again, persons

who oppose this project are not interested in information. Not interested in facts. Nineteen locations have explored and are engaging in some form or the other in coral relocation or transplantation across the globe. They are:

- Belize
- Colombia
- Costa Rica
- Hawaii
- Israel
- Jamaica
- Japan
- Jordan
- Mauritius
- Mexico
- Puerto Rico
- Singapore
- Taiwan
- Tanzania
- Thailand
- The Florida Keys
- The Maldives
- The Phillippines
- The Seychelles

And as of 2016, you can add the Cayman Islands to that list to make 20 countries.

Mr. Speaker, the Deputy Leader of the Opposition is asking what the success rate is. Well, if I can for a moment quote his leader who said yesterday, "*You think I can't anticipate people?*"

[Laughter]

Mr. Austin O. Harris, Jr.: While success has varied in this other 19 locations, the science is sound. The most successful coral relocation to date has taken place in Hawaii in 2005 in a place Kaneohe Bay, where they achieved a 90 per cent survival rating and effectively transformed a previously-dredged sandy area into a functional coral reef. A three to five year period is recommended for adequate eco-stabilisation due mainly to the slow growth of corals.

So, Cayman will not be first, Mr. Speaker, but we may yet prove to be the most successful. 90 per cent in Hawaii, in 2005, after three to five; 89 per cent success rate in the Cayman Islands, 2016 to 2017. We are poised to be leaders once again. The science is sound, Mr. Speaker.

This project, like all Government-supported projects, seeks to grow the economy, safeguard our tourism and protect the interests of our people.

An Hon. Member: What about the environment?

Mr. Austin O. Harris, Jr.: Again, Mr. Speaker, my anticipation of some of these questions is almost uncanny.

[Laughter]

Mr. Austin O. Harris, Jr.: I must be a magician.

To the Member for George Town Central's question, it would do so without wide-scale destruction, but instead careful planning and design, which would enable the new pier to be built on an elevated platform rather than a solid bulk-head secured by pilings which, in addition to minimising the impacted coral footprint, would allow both the sea and marine life to live and move freely underneath.

Mr. Speaker, it would also allow sediment to maintain its natural flow without risking our beautiful Seven Mile Beach. As we see in Cayman Brac and also the current dock, the facility itself would act as a man-made reef structure and the elevated platform would become a haven for juvenile fish that lends itself to supporting a healthy marine habitat. Yes, this project is truly different than any project that has been proposed by previous administrations and I think I say that without making too much of a stretch.

Earlier, Mr. Speaker, I gave some numbers on the amount of dredging, specifically the change in the design has yielded a 31.3 per cent decreased dredge volume resulting in an 11.3 per cent decrease on the dredge footprint. It is important to note, Mr. Speaker, that none of the dredged material from excavation will be thrown over the West Wall, but instead will be recycled and used for land side construction.

Most notably, Mr. Speaker, no dredging will take place in Hog Sty Bay Proper. That means the so-called risk of silt or dredge material destroying popular reefs like Paradise and Eden Rock is a Red Herring—a bluff, a deception, a ruse; nothing more than CPR's subterfuge intended to scare Caymanians into believing that there is a threat. Keep listening, you will learn something.

While the exact dredge management plan is still in the process, Mr. Speaker, and will form part of the environmental impact assessment scoping works, which I am told will begin shortly after the vibracore is completed—don't worry, I had to ask what that meant as well. Vibracore is a process of vacuuming the sea floor for the testing of materials and sediments so the developers can understand, as a matter of fact, what lies beneath and what substrate they have to work with.

Some may remember back in 2016, before I arrived, a company by the name of Royal Haskoning out of Holland were selected by the Central Tenders Committee to undertake civil engineering design works which would lend itself to determining the best possible design for the berthing piers by achieving the least possible environmental impact. Well, in 2018, Royal Haskoning completed their survey and tendered a report which sought to inform the dredge management plan which recommended a mechanical dredging approach rather than a hydraulic approach, which would lend itself to minimising dredge plumes caused by turbidity.

So what is difference you might ask, Mr. Speaker? Some in this House, engineers and the like are well-aware but most are not. I wasn't and I suspect those listening are not, so I will explain it: mechanical dredging involves the use of an excavator or another type of heavy equipment usually situated either on a barge or at the water's edge. Typically what we see in quarries across Cayman to dig out the bed of the body of water and to extract the sediment and take it somewhere else. The sediment is then hauled away for either disposal or reuse.

In contrast hydraulic dredging uses suction to remove the sediment, which is then transported by high-pressure pipe and deposited somewhere else to be recycled.

[Inaudible interjection]

Mr. Austin O. Harris, Jr.: Since turbidity, Mr. Speaker, is viewed as the enemy the suction method increases those chances and thus increases the chances for silt leakage.

As part of the dredging process, and the criteria set by this Government, as part of the advice it paid for and received from Royal Haskoning, real-time turbidity monitoring and adaptive management techniques will be employed to ensure that turbidity levels do not exceed pre-defined thresholds; and, when combined with the early warning notifications as part of this plan, it will allow developers to reduce their production rate, to reposition the dredge or even suspend dredging all together until such time that these plumes are brought under control.

So, these plumes of silt that the Member for North Side suggested would consume George Town Harbour, whilst I think well-intended, and I certainly valued the contribution he provided to us yesterday, I have to classify it as just simply more scare mongering.

Mr. Speaker, this Government has been careful to measure twice and cut once. Why? Because we live here too, Mr. Speaker; we have children and grandchildren who we hope to see grow up and prosper in this country.

Mr. Kenneth V. Bryan, Elected Member for George Town Central: Mr. Speaker.

The Speaker: Are you rising on a point of order?

Point of Order

Mr. Kenneth V. Bryan: A point of order, Mr. Speaker.

Can the Member provide this honourable House with the report that he is speaking from so we can all have a view of it?

The Speaker: He is not reading from a report. He is making remarks from the report but I have not detected that he is reading. I think he has copious notes and

therefore, under the Standing Orders, does not have to lay any such report. If you read from it directly, then I am required to have one.

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

Mr. Austin O. Harris Jr.: Thank you, Mr. Speaker, you are correct, I am not reading from anything; no report or otherwise.

For the past two years I have asked numerous questions.

[Inaudible interjection]

Mr. Austin O. Harris Jr.: I came into this race and this seat in the House opposed to cruise berthing and I asked every possible question that I could think of for the last 10 years and then some, of the Deputy Premier to the point that he got tired of seeing my face.

[Inaudible interjection]

Mr. Austin O. Harris Jr.: I interjected myself in every single meeting as far as was possible, given the fact that I have seven other ministerial responsibilities that take up a great deal of my time of the day, to learn why this project is different. And, the reports, meetings [with] Royal Haskoning and otherwise were conversational, which to the Speaker's point, I took notes for my own purposes because I knew that at some point in time, I would be called on to explain what changed my opinion.

Interestingly, Mr. Speaker, and perhaps as expected, much of the objections about the cruise berthing and port facility have been around the environment. With groups like Save Cayman, the National Trust, the Conservation Council, all getting in on the act; all with eyes on Hog Sty Bay. However, Mr. Speaker, what I find curious is not a single comment, petition or otherwise, has been levelled at the approved half a billion dollars in projects that have been approved by this Government in the first six months of 2019, which includes an unprecedented 380 development projects worth more than a half a million dollars. And, another 659 planning permits that are valued at about \$205 million.

Surely, Cayman will lose a significant amount of flora in this exercise, Mr. Speaker, as we attempt to grow our economy for all the benefit, but yet, not a single word from our so-called environmental warriors on this subject. This proves my point that those who stand oppose to this project do so for less than genuine intentions and surely not because they believe, as I have heard one recent CPR ad say, "The Environment was given to us by God, and therefore it should be protected." [UNVERIFIED QUOTE] The people were given to us by God too and they deserve to be protected, Mr. Speaker.

So, what makes this relatively small piece of seabed so much more important versus the acres of

landside development that make up these other 380 projects? Maybe someone can answer that for me when they rise.

Moving on, Mr. Speaker, and finally away from the environment. Earlier I said that the cruise berthing and port facility project will deliver no upland development. That means no competition to local merchants protecting existing jobs while creating new ones. Jobs such as the one advertised by Verdant Isle as a part of their job fair, which I understand is taking place today. Jobs that include field engineers, divers, welders, carpenters, concrete finishers, equipment operators (both big and small) and common labourers; that's just on the cruise port development side, Mr. Speaker. New jobs will also come available among the shops and souvenir stores who will need to take on new staff to deal with the increase in cruise passengers these facilities will provide. Taxi operators will see improvements on their daily trips, and tour operators can expect an increase as well.

According to PriceWaterHouseCoopers, 1,000 new jobs in total can be expected to be created from this project. Ownership opportunities will come available as we seek to continue to develop new attraction and tours in order to keep our offerings fresh and exciting. The list goes on, Mr. Speaker.

What about the pedestrian experience, Mr. Speaker? The George Town revitalisation initiative will integrate their efforts with this project to provide improved traffic flows, sidewalks, better lighting and additional parking downtown. They will rejuvenate George Town with former glory, fitting of that of a nation's capital. As a result of the cruise berthing project we see the George Town revitalisation initiative, the National Roads Authority [NRA] and the Port Authority collaborating for the first time together to come up with a road transportation plan that will facilitate both the increase number of cruise passengers combined with the regular flow of business in downtown George Town.

The cruise berthing facility—as the Member for George Town alluded—will allow the arrival of ship to be spread more consistently and will provide more space for our tour operators to meet passengers dock side and the opportunity, since they don't have to stand in lines, to explore some of the otherwise restricted beauty of the Cayman Islands that prior to, they didn't have the opportunity. The beautiful Bodden Town, East End and North Side are parts of Cayman with a unique tourism offering that I would recommend to anyone. Mr. Speaker, the cruise berthing and port facility will grow our economy just as the Government has stated by building necessary port infrastructure that will take the Cayman Islands into the next half century. It will also see the development of enhanced cargo facilities which will ensure essential goods arrive on time for every single person in these Islands.

Mr. Speaker, if the Cayman Islands, as a government had to subsidise the cargo facilities, it will cost the country at a minimum, \$40 million. Instead, it comes

part of the designed finance, build and maintain model being offered up by Verdant Isle. Cargo, Mr. Speaker, from food to building materials, goods that will enable us to grow our economy to create more jobs, to create more ownership opportunities for Caymanians in this important tourism sector and beyond.

Mr. Speaker, when it comes to tourism, I believe you have been quoted in the past, correctly, I might add, by describing Cayman as not being the only pretty girl on the block, but instead has to compete with other pretty girls or more specifically, other pretty Islands with lovely beaches and cheerful people. Those other islands depend on cruise tourism, just like we do but unlike us, they are developing and enhancing their assets to meet the growing demand of visitors in that sector. It is a fact, Mr. Speaker that the cruise lines are phasing out their smaller tender vessels and replacing them with larger ones; the kind that won't tender but will only berth. How do I know this? Well, because the cruise lines have told us directly. I have sat no further away than you are to me, from them president of the major cruise lines when they have said this point blank.

In total, the Cayman Islands compete with 35 other pretty girls in the Caribbean, Mexico, South and Central American Region. There are cruise piers in Antigua, Anguilla, Belize, multiple ports in Jamaica including Falmouth, two in Saint Croix, two in the Bahamas and three in Saint Thomas, including the most popular port, I think it is Charlotte Amalie where they receive cruise almost every single day.

According to the 2018 Cruise industry overview published by the Florida Caribbean Cruise Association, which I will now lay on the Table of this honourable House... I have one copy but I have already asked the Page to produce multiple copies for every Member, including yourself.

The Speaker: If you are going to read from it, I would prefer to have a copy.

Mr. Austin O. Harris Jr.: I will only refer to it very briefly sir, from information that is contained on—

The Speaker: Not reading directly?

Mr. Austin O. Harris Jr.: Not reading directly sir, but quoting aspects of this report.

According to the Florida Caribbean Cruise Association, 2018 Cruise Overview, the total number of cruise ships passengers was over 27 million worldwide, up nearly 10 per cent from two years earlier. Clearly, again, as the Member for George Town West alluded. Cruise is quickly becoming the preferred method of travel and when planes are falling out of the sky with a degree of regularity, who can really blame them, Mr. Speaker? In the next 10 years, 106 new ships are expected to enter service, replacing their smaller counterparts, 50 in the next seven years between 2018 and 2025. Currently over 50 per cent of the world's cruise

fleet is based in the Caribbean for the winter, contributing some \$3.1 billion in direct expenditure.

What will this mean for Cayman Mr. Speaker? That means an opportunity to see between a 25 per cent to a high of 47 per cent increase in the total annual cruise passenger numbers. This equates to an economic uplift of this country of between \$200 million and \$245 million per year in revenue; revenue and in particular, new revenue.

You know, a lot has changed since my days of host of the morning and evening talk shows. Obviously my position on the cruise berthing is one of them. However, another change, which I will volunteer, is my former underestimation of the value of revenue when it comes to managing the country's finances. I used to focus almost entirely on expenditure, and you will recall me saying, *we need not focus on the revenue column but instead in the expenditure column. If we reduce that, then we have more to spend.* I used to say that, *we needn't worry about revenue streams.* But, expenditure does not show a complete picture, Mr. Speaker, of the state and overall health of our economy. Sometimes we have to spend money to make money, or such is the ethos in the private sector. However, government does not exist to make a profit, instead, it exists to provide the right climate for business to grow and succeed, and in so doing, provide full employment for our people. Largely Mr. Speaker, the Government is about providing services that our people need. Things like roads, schools, hospitals, mental health clinics, et cetera. And, because the Cayman Islands does not employ an income based tax requirement, but instead earns its money for consumption or expenditure, that is, the purchase of goods and materials and from the importation of the same, another good reason to invest and redevelop our cargo infrastructure, so that that flow of money can be maintained, if not increased.

The Speaker: Have you reached a convenient spot?

Mr. Austin O. Harris Jr.: Mr. Speaker, if you give me five minutes, I will be done.

In this context, Mr. Speaker, revenue, and particularly new revenue, is important to not only maintaining a healthy economy but also to provide protection against external forces outside of our control or otherwise shocks to our economy. I need only mention the constant threat to our financial services industry, the primary contributor of GDP in this country, I think, to make this point. I need not go any further. Government services are more than just other infrastructure projects, Mr. Speaker. Largely, government's expenditure is about its people and therefore, my previous ethos of cutting expenditures is more than a growing revenue, whilst, if not wrong—well, certainly not balanced, Mr. Speaker.

Having seen first-hand in these last two years, what it takes to keep these beloved Islands successful

in terms of the role of Government or that which is expected of the government, revenue and in particular, new revenue is important to the Cayman Islands and creating those opportunities are also the obligation of the Government.

An increase in \$200 million to \$245 million every year into Cayman's coffers would go a long way to assisting Government provide services to those most vulnerable. While I believe the cruise berthing and port facility project creates the climate to replace welfare with opportunity, Mr. Speaker, allow me just a few moments in closing to highlight where the government's monies go every year and in particular, in the past two years under this Administration in an area that I know something about. Because the critics of CPR have also said this referendum is more than just being about the port, but instead, have gone so far as to suggest that this coalition Government isn't doing anything to help our people.

[Inaudible interjection]

Mr. Austin O. Harris Jr.: Frankly, Mr. Speaker, from my perspective, that agenda and viewpoint is completely hog-washed.

In 2019, Mr. Speaker, the Ministry of Community Affairs, which as Councillor, I had shared responsibility for in support of the Minister responsible who in this case, just so happens to be the Honourable Premier.

The Ministry of Community Affairs will spend approximately \$25.5 million by the end of the year on core Needs Assessment Unit (NAU) and the Department of Children and Family Services (DCFS) initiatives. Core NAU initiatives will reach about \$14.2 million and includes things like rental assistance, utility assistance and food vouchers. An additional \$8.6 million will be spent on permanent financial assistance for the elderly or the infirmed, sometimes referred to as indigent—and, I will admit freely that I don't care too much for that word Mr. Speaker, but until we come up with a better one, it is what it is—as well as ex-gratio payments for ex-servicemen and seamen. In fact, this Government of National Unity has increased spending in these areas specifically over the past few years, reflecting a net increase in comparison to that which was spent in both 2016 before we arrived and 2017, the first year of this Administration's term.

Where are we spending it, Mr. Speaker? We are spending it on the people. Mr., Speaker, \$500,000 will be spent on core Department of Children and Family Services-family support, which includes things like foster care and adoption, community development needs, elderly services, family services youth intervention, youth justice, yes, and child safeguard. It will spend a further \$2 million to fund supporting the Pines Retirement Home as a part of our residential care for the elderly and the disabled.

It is clear, Mr. Speaker, that just in one Ministry we can see where Government expenditure goes and that's why it is important, Mr. Speaker, to move forward with the necessary infrastructural projects like the cruise berthing and port facilities in order to increase our annual revenue; to create jobs, opportunities and economic growth that spans way beyond the average cruise visitor, but to services and needs of the people of these beloved Cayman Islands.

The revenue needed to support these things has to come from somewhere, Mr. Speaker, and in Cayman we have two options:

1. Tax our citizens; or
2. Expand our revenue base

This Administration, like the former, has committed themselves to no new taxes, Mr. Speaker. Therefore, the only option available is to increase revenue.

Mr. Speaker, I am fully confident today, two years later, that the Ministry of Tourism, led by Honourable Deputy Premier, but also the entire Coalition Government of National Unity, led by the Honourable Premier have taken slow, deliberate and careful steps with regards to this country, followed by established best practice and integrity in all its dealings to deliver a cruise berthing facility that will deliver the greatest economic benefit with the least environmental impact. It will represent infrastructure that will be owned and operated by the people of the Cayman Islands. As such, Mr. Speaker, I intend to vote 'Yes', in the referendum and I encourage the people of Prospect and the wider Cayman Islands to do the same.

I thank you, Mr. Speaker.

The Speaker: We will suspend proceedings until 1:15pm.

Proceedings suspended at 12:07 pm

Proceedings resumed at 1:32 pm

The Speaker: Proceedings are resumed. Please be seated.

Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause]

The Honourable Minister of Finance.

[Crosstalk]

Hon. Roy M. McTaggart, Minister of Finance and Economic Development, Elected Member for Georg Town East: Mr. Speaker, I rise today to make my short contribution to the debate on this historic Bill, Referendum (People-Initiated Referendum Regarding the Port) Bill, 2019 and indicate my support for it.

Mr. Speaker, the historic importance of this Bill is found in its title "People-Initiated Referendum". This

Bill arises out of the efforts of a group of concerned citizens that they be given the opportunity to have their voices heard and to vote their conscience on one of the key policy objectives of this Government. While it has taken more than one year to accumulate the required number of signatures and get to this point, their efforts and persistence must be acknowledged and recognised.

The Bill that is before us for consideration today seeks, among other things, to achieve the following:

- To appoint a date for the holding of a referendum
- To establish the referendum question
- To confirm the terms whereby the outcome will be binding on the government and Legislative Assembly
- To specify those persons who are entitled to vote; and
- To provide for the conduct and oversight of the referendum.

In tandem with that, Mr. Speaker, the Governor has also indicated that there will be observers here from the Commonwealth Parliamentary Association to observe the conduct of the polling on referendum day.

Now, Mr. Speaker, I have every confidence in our Supervisor of Elections, other officials and their ability to conduct the referendum poll in a completely fair and transparent manner. We have a long and well-established history of conducting both fair and transparent election and referendum polls; this one will be no different, despite disparaging commentary on social media.

Mr. Speaker, in addition to numerous elections, since 2009, we have also conducted two referendums with no challenges and all of which were conducted fairly and transparently. The question of the referendum: Whether to move forward with the building of the cruise berthing and enhanced cargo port facility is one of national importance. It is one that has generated strong debate on both sides of the issue. I never lose sight of the fact that I was elected by the people to represent their best interests and, to this end, I have been in touch with many of my constituents and the wider Cayman community in an effort to flesh out their concerns and seek their input as to what they see as the direction that they think this Government should be taking in regard to the port. While I may not always agree with their opinions, I always listen and I always take their advice on-board. In this case, I spent a lot of time listening and talking to both sides of this equation.

In this regard, several constituents have made representations to me regarding objections they have to the Referendum Bill, and, as their elected representative, I share them here today. By far, the most frequent objections are:

- The date chosen
- The exclusion of 207 newly registered voters

- The inclusion of the enhanced cargo facilities in the referendum question
- The sale of alcohol; and
- The omission of Part Five of the Elections Law with respect to campaign expenses.

Mr. Speaker, based on the public discourse that has taken place since the Bill was published three weeks ago, it is clear to me that these issues are consistent with those most commonly discussed on social media, radio talk shows, other media and debated in this Chamber yesterday and today.

Mr. Speaker, the concept of combining cruise berthing and enhanced cargo facilities has been under discussion for the better part of a decade, over several different Governments. In 2013 and again in 2017, the port was a key element of the Progressives commitment to infrastructure development of these Islands. Now I recall from the earliest time when I got involved, from as early as 2015, the Premier confirmed to the country that the Government agreed with the merits of building a cruise berthing and enhanced cargo facility and would move forward on that basis.

From the outset, the project, I think, was always believed and efforts were made to try and combine the construction of the cargo facilities, as well as the cruise berthing facilities and make it one project. And, strong efforts made to ensure that those who would finance it would assume responsibility for both.

So, for me, it was conceived as one project, designed as one project, tendered as one project, bid on as one project, and is to be financed and built as one project. For me, the project has always been about achieving the right balance between all the competing interests, but more specifically, to ensure we achieve the right balance between environmental protection and the necessity to upgrade our port infrastructure to allow the country to continue to grow and prosper. Any project, large or small, will have some level of negative economic impact but, with careful scrutiny and planning, these impacts can be greatly mitigated. And, this has been the approach that the Government has taken all through this project; and the reason why so many times you see things have changed.

I would be disingenuous if I said it was easy to balance two competing interests of fellow Caymanians without some level of discomfort. In essence, we have to carefully consider the impact on existing stakeholders versus the future benefits that will accrue to these Islands. On this point, my constituents have driven my decisions in a very impactful way, for in addition to the concerns already raised, they have and have mentioned some serious reservations they have about job loss versus job creation. But, they are more positive on the prospects of Cayman acquiring state-of-the-art modern facilities that will drive future opportunities and provide a clean, safe port-of-call for cruise visitors; a percentage of whom will surely return as stay-over visitors and thus further benefiting our economy. It was

also not lost on most of those whom I spoke with that having enhanced cargo facilities is a necessity in order to meet the changing needs and population growth over the next 20, 30 or even 40 years.

Mr. Speaker, I reflected on the fact that, over the past 40 or so years, the Owen Roberts International Airport has been upgraded three times and the port, as far as I can remember, at least twice. If one were to draw a graph of years versus the growth in population, the line would be linear with the inflection points representing the need for better facilities as the population expanded. This is very important as the Cayman Islands are now experiencing another period of growth in population and economic expansion. It has become abundantly clear to me, that we are again at a significant inflection point in our development where we desperately need enhanced port facilities for cruise and cargo operations. The facility, as it presently exists, is no longer really fit for purpose. To me, it makes absolute sense to do so now, while we have a partner who is willing to design, build, finance and maintain both cargo and cruise facilities under one umbrella. One of my constituents said to me just over the weekend, quite succinctly, "We cannot be held hostage by special interests for the here-and-now, only to disenfranchise entire future generations".

Mr. Speaker, my role as Minister of Finance is to ensure that the financial viability and sustainability is reasonably assured, in order to give our country and its people the best opportunities to flourish and prosper. The opportunity that presents itself, the timing with the growth of our population and the terms that this Government has negotiated with the Verdant Isle consortium on behalf of these Islands, will see a new cargo handling facility and berthing for the cruise industry being delivered with substantially all of the risks assumed by third parties rather than the government. It will provide the necessary infrastructure the country so desperately needs, while leaving the Government unfettered to pursue capital projects that are urgently needed such as: new roads and improvements to existing ones without any borrowing.

In all my professional years in financial services, I've never seen an agreement like this. I don't believe that there exists one, within the cruise ship industry, certainly in our region, if not elsewhere. To be honest, Mr. Speaker, I really struggle to find any significant downside financial risks to the model that we have created and that we have been successful at negotiating with our partners in this development.

Mr. Speaker, I wind up.

I began my contribution to this debate by acknowledging the length of time it has taken for us to get to this point. I also conclude my contribution by saying that it is time for us to move on and get the referendum behind us as quickly as we can. If the vote is 'yes' on December 19, I want the Government to enter 2020 with the assurance that it can proceed unfettered in

concluding negotiations with Verdant Isle and getting this project off the ground.

Similarly, if the vote is 'no' on December 19th, I want the Government to close the books on this project in 2019, so that we can turn our attention to other infrastructure projects in 2020.

I thank you, Mr. Speaker for allowing me to make these brief remarks.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] Last call—The Honourable Deputy Premier.

[Pause]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport, Elected Member for Cayman Brac West & Little Cayman: Thank you, Mr. Speaker.

Mr. Speaker, before I start with my remarks I want to congratulate the Premier and the other Members who have risen and made their contribution. I also take this opportunity to welcome CPR; I hope it creates more dialogue and if there are other questions we can answer, we are here to do so.

Mr. Speaker, in December the Caymanian people will have the chance to cast their ballots in the first People-Initiated Referendum in our Islands history. The outcome at the polls will determine whether this government proceeds with the development of the cruise berthing and cargo port or not. As a country that has always held our democracy process in high regard, we are well used to casting our votes but this time, the decision will not be for a district representative to hold office for four years. This time the decision will determine the course of our tourism industry not for four years, but for decades to come. For many who turn out to vote, this will be the most important decision they will make at the polls for the economic benefit of the Cayman Islands in their lifetime because the result will have a very real and direct impact on the lives of thousands of men and women who work in the cruise tourism industry in this country, as well as the economy of these Islands and on the lifestyle of every person who lives in Cayman Brac, Little Cayman and Grand Cayman, who directly depends on tourism for their living.

Mr. Speaker, I welcome the opportunity to speak to this Bill because I consider it straight forward but vital—a very important piece of legislation. I would like to approach it in my remarks; to start with, we are talking about the Bill and then the economic benefits, the challenges for the country and then I would like to finish off by addressing some of the questions that the Opposition posed in some of their debates.

It has one clear purpose, and that is to allow this Government to fulfil our constitutional mandate to grant the people of these Islands the final say on the port project, given that a Referendum has been triggered. This Bill provides a mechanism that will allow

our people to have their say. It also provides, in section 4(2) for the wording of the Referendum question which specifies, “Should the Cayman Islands continue to move forward with building the cruise berthing and enhanced cargo port facility?”—a question which ultimately requires a yes or a no.

The Bill also sets in stone the selected date of the referendum, December 19th, 2019. Campaigners for the referendum requested that the vote be held as soon as possible after the petition was submitted. The date selected complies with their wishes and should put to rest any fears that Government would deliberately delay the vote. On the contrary, Mr. Speaker, our willingness to head to the polls at the earliest time possible serves to demonstrate that we are just as keen as the petitioners to have this matter settled.

Mr. Speaker, the issue at the centre of this Bill is quite clear, therefore the remainder of the Bill is relatively straight-forward and establishes the framework under which the referendum will be conducted, in compliance with the existing provisions in Cayman Islands law. I regard Government’s stance throughout this entire referendum process to be fair, reasonable and legitimate and now, with the legislation drafted in compliance with provision 70 of the Cayman Islands Constitutional Order 2009, we all look forward to a speedy resolution.

The question of whether the Cayman Islands should construct the cruise berthing facility has been a topic of debate for between 15 and 20 years. This project, its current plan spans three administrations and has taken over six years and a significant investment of public funds to arrive at this point. That alone is an indication of the painstaking attention to detail that has gone into every step of the process. Why? Because my Ministry, acting on behalf of the Government, has been determined to cross every T and dot every I, to:

- Deliver a project to the people of this country that creates jobs and opportunities
- Provides value for money
- Minimises environmental impact
- Modernises the cargo port
- Conforms with international best practice and;
- Offers security and hope to future generations of Caymanians

Mr. Speaker, the Government has a responsibility to develop the economy of this country for the benefit of the people and opportunities for generations. The cruise berthing facility is another part of the country’s infrastructure which is needed for the economy to continue to grow. Six years is a long time for any project to be on the drawing board but the process has been worth it. The end result more than meets our financial, technical and environmental objectives and will deliver a world-class facility befitting our world-class tourism destination.

I took notice of the Minister of Finance’s comments on the structure and I think the Government should be very happy to have such words come from a

man of his stature and a man with his career in this country. Thank you, Minister.

I believe it will be a facility that current and future generations of Caymanians will benefit [from] and be able to grow with. Given that this is the largest infrastructure project that any government has undertaken, it is understandable and totally expected, that the public will have questions and concerns.

Mr. Speaker, opponents have argued that the Government has not answered their questions; we have been accused of not sharing information. They fly in the face of transparency and good government.

Mr. Speaker, these accusations might pass for entertainment on talk shows but they have absolutely no bearing in truth. The fact is that Government has communicated with the public and the Ministry has provided updates and information as major milestones in the process were achieved. Thirty press releases have been issued and all of the various studies and reports were posted on line in 2015 for the public to review and scrutinise.

Mr. Speaker, four public meetings and two press conferences have been held and I have updated Members in this honourable House on at least six different occasions and all reports are on the SupportOurTourism website for anybody to view. As the project advanced, the public was informed many times that answers to some of the questions could not be disclosed while the procurement process was still underway; we simply did not have the ability to give the answers because the cruise berthing facility’s preferred bidder had not been awarded.

Time and again, the Ministry advised that when the process was sufficiently advanced and the preferred bidder identified, we would be happy to answer many more questions about the project, and Mr. Speaker that is exactly what has been done.

We explained over and over again that, because this project was being developed under a design, build, finance, and maintain framework specific details regarding the design and cost of the project that we’re being asked for would not be available until, again, the preferred bidder had actually done the design, completed the costing on it and found out how much the financing would cost. Those are available now and we are putting them out as we get them.

Mr. Speaker, the preferred bidder was required to submit the design along with the construction cost as part of their tender submission; until that process was completed and the meaningful submissions were received and evaluated, Government—again—simply did not have the information to share.

The closing date for the receipt of tender was May 2019 and the preferred bidder was selected in July, at which point a press conference was immediately held to notify the public and share the design, concept and cost. Once the designs were received, consultation with stake-holders, such as the Port Authority, then had to take place to ensure the designs met their

specific requirements. Again, the public was advised this process was taking place and assurance was given that, as soon as the plans had been updated accordingly, they would be released.

The updated designs and full master plans were released to the public earlier this month but Mr. Speaker, still there has been an ongoing campaign by opponents of the project to spread misinformation and cast doubt on the project itself.

Mr. Speaker, I can attest to the fact that this project has followed best practice. Multiple RFPs have been issued to provide this country with the very best independent advice possible; consequently, the decisions made by this Government have been made on sound, scientific and economic evidence received from some of the most reputable international scientists, consultants and engineers in the world. Because they have done these types of projects before, we have benefitted from their years of experience and expertise and their methods have been well-tested and are proven.

Mr. Speaker, none of those credentials apply to any of the petitioners opposing the project that I am aware of, yet they deem themselves qualified to contradict and refute the evidence-based findings of globally recognised experts in the field.

Mr. Speaker, our country is standing at an important crossroads and I can understand why some are wrestling with their decision, not least because those opposed to the project will have us believe that if you are pro-port, it automatically follows that you must be anti-environment. This is simply not the case; this project has implications for our economy, for jobs, for opportunities, public spending and essential day-to-day priorities and quality of life.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: So, it is vital that the public is able to make an informed choice and weigh out the issues very carefully based on facts—not hearsay, opinions or assumptions.

Mr. Speaker, the cost of the project the preferred bidder turned in is \$200 million CI and it is being paid for by Verdant Isle, who will be reimbursed by the cruise passengers who use the facility. The Leader of the Opposition is looking at me.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Government is not providing any loans, bonds, guarantees, IOUs or cash to pay for this project. Consequently, it poses no risk to our country's finances.

Mr. Speaker, I want to say this so that some of the Members of the Opposition will understand: if we do nothing today, it will cost us nothing. If we enter into

this contract with the preferred bidder, it will still cost us nothing.

So you look at me, right, and you seek an explanation because you do not understand it. The explanation is that the money is being advised by the preferred bidder, Verdant Isle, to build the cruise berthing facility and cargo port. The management, which is extremely important, is being done by the Port Authority of the Cayman Islands, which employs over 95 per cent Caymanians.

When the ships arrive, the passengers who come ashore will pay a head tax to the Port Authority; the Port Authority will then take those funds and distribute them for the debt service to Verdant Isle, the licensing agreement, the environmental impact assessment, the Environmental Fund, the Port Authority and the Government.

The growth on the project itself: We know that where we are today, we should finish the year down by about 1.8 million. When I was elected we were doing \$1.3 million and the struggles at the port for tour operators and taxi drivers were real and felt. The growth has been felt in these Islands' economy as each passing year showed improvement.

At the end of the 25 years, when the facility is paid for, the funds that formerly went to the Verdant Isle debt service will then continue to be paid to the Cayman Islands Port Authority who owns the port on behalf of the Cayman Islands people. The piers' life that is being built out is 50 years, so in half the life of the project (the pier) it will be paid for and the port authority and the people will have another 25 years of use and revenue stream. If we had done this, dare I say, 25 years ago, it would now be paid for and the revenue stream would be going to the people of the Cayman Islands.

As the Premier stated, Verdant Isle stands to make an annual return of around 3.5 per cent per annum on a \$200 million investment which is perfectly respectable and not as outrageous as some people have said for a project that this country needs and did not have the ability borrow \$200 million six years ago.

Although we will receive slightly less in fees from each passenger, the fact is that the Government will end up receiving more revenue each year due to the increased volume of passengers.

I want to stop now and take my time and explain the carrying capacity of this Island, because this seems to be a question that continues to be debated and truthfully, not understood.

The increased numbers of passengers that are coming to the Cayman Islands are targeted to come in the six slow months of the year. We know that the Island (approximately 4.1 hours is what the report says that the cruise ship passengers come ashore) we know that we have had, in the last four years, 4/5 days that we have had 24 and 25,000 people arrive.

We also know that if we were able to manage the arrival of these passengers and every day we had

10,000 passengers that would be 3.6 million passengers per year. I just say that so you start thinking about how do we—with the responsibility to the people of this country—manage the asset and the infrastructure to benefit that industry the most.

The way that is done is to not put any more pressure on the Island itself—“the carrying capacity” as a word—and move the business so that tour operators have a level amount of work throughout the year—it’s called flattening the seasonality of your product. We have been extremely successful in doing that with stay-over [tourism] and the way we did it is with the same type of approach: to holistically look at what your country needs the most.

What we found was that September [and] October [were] very slow months but January and February, rooms were full. To give you an example: a music promoter came shortly after being elected and he said, “I am going to bring Damian Marley and I am going to bring him in January and I want a partnership.” And I said, “Well, there is no reason for the Government to partner in January to bring him.” He said “Why?” I said, “Because we have no return on investment because all our rooms are full. Our tourist operators are busy, our taxis are taxed.” Within two weeks he understood and he came back and you all will remember Damian came here, I think, in May.

The reason for that was that we were managing the seasonality of our product to spread out the business that whatever business you are in, you would be able to keep your employees employed, your business going on and was able to look at it that this is not a seasonal business but a yearly business and it is something that works through the year.

Then we go and we think about how do we actually get cruise ships to come here in the slow months? We have been in the cruise business for a long time and when we talked to the partners, and met with them and said we do not want any more people in the January, February, March than you are sending, when you send five or six ships here and we have to say 24,000 is maxed out. What we want is for you to send your vessels here during the summer, that our people will benefit from a year-round business; and MAC, Royal Caribbean, Carnival, said, “I am sorry, but our three large-class vessels will not be able to be tendered. We will continue to pass Grand Cayman every week until we can get to a point where they could be actioned with a cruise berthing facility.”

That dialogue started from a couple of years ago, six years was when the project started with the Outline Business Case but the discussion to understand how important it was for us to flatten out our seasonality started to be a reality when Royal Caribbean said, “We have two Oasis that go by Cayman with 5,000 plus every week.” And Carnival said, “We are building larger vessels, they are going to be in the Caribbean all summer. Some of the smaller vessels are

going to be moved, sold or replaced and the larger vessels would be taking up the route; so you have a Carnival Magic that has 3,000 people on board, it will be replaced by a larger vessel with 5 or 6,000.”

That is the simple statement and the simple information that the cruise lines have given us and I also believe that when the cruise lines are of the mind to be involved with a preferred partner that is going to invest \$200 million, they have a real reason to make that cruise berthing facility, and this country, more successful on a yearly basis and more successful for the people in the tourism industry.

So, to be very clear about a carrying capacity: no more arrivals than now arrive and the maximum that was shared, when we spoke to the port, was 25,000 (highest day in the last three years) and two or three other days around 23,000—no more than that; and [we are] working to spread the other growth that you desire to build and not at 30 per cent a year. What you want to do for your industry is grow it 3 to 5 per cent a year and what does that mean? What it means is that the people who are involved in the industry know that there is a reason for them to continue in that industry. It is something that their children will be able to do and understand. There is a reason to look at the skillsets that are needed. There is a reason to understand that there is going to be growth in the industry and there is a real understanding—this is Cayman. This is Cayman. We are the gem of the Caribbean. Every one of us are as proud as we can be when we go to other countries in this region and people ask you questions about Cayman.

They ask you, is it true that you have the highest standard of education? Is it true that you have a AAA Moody’s rating? Is it true that you have a high per capita income? Is it true that you have one of the best health care systems in the region? Is it true that you are building a new mental health facility? Is it true that you are working on infrastructure like crazy, especially roads? And I say yes, that is true. And we understand that we have to do it as quickly as possible. Minister Hew is getting grey hairs from working so hard on trying to get the roads’ system sorted; but understand this: when there is a demand for infrastructure, it is because your country is growing. “*When there is a demand for infrastructure, your country is growing,*” that means the glass is half-full not half-empty, and that is where we want to be, that is Cayman.

On the environmental side, Mr. Speaker, Seven Mile Beach will not be negatively affected. Had that not been established at early stage, I can assure you we would not be having this debate today. I have the Baird report but I want to save it because there is another part in there, before I Table it a little later? Okay? Thank you.

There will be a 30 per cent less dredging overall and none at Hog Sty Bay. The overall dredge footprint has gone down by 11.3 per cent and the Wreck of

the Balboa will be moved, making it more accessible for divers to enjoy.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: How many people dived the Balboa recently? It is flat or still has tanks in it?

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: You just looked at it from the top?

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Yeah. Sorry.

The updated design moves the South—

The Speaker: Honourable Deputy Premier.

For all concerned, I said this twice now: there are no cameras allowed. The one that asked was The Compass and they had permission; nobody else has asked and so I have asked them not to be taking any photos with cell-phones or otherwise.

Most of the time I think, people have adhered; I saw a few trying to do something else but, I am asking again, please adhere to the rules: no cameras are allowed otherwise.

Please continue Deputy Premier.

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Thank you, Mr. Speaker. I did not mean to create a problem.

The updated design moves the South pier an additional 350 feet north of Eden Rock, which is approximately 660 feet away—two football fields. The cargo port will get an additional dock and an increase of close to 30 per cent more cargo area.

Mr. Speaker, it is probably a good time for me to talk about cargo.

Mr. Speaker, there was a debate last night with the Member for North Side and he had a couple of points about the cargo port that I just want to clarify. One of the questions and submissions in the debate, was that a consultant report said that a cruise berthing facility at the port and the tenders would bring people ashore at the same speed to get people to Cayman—and understand, whether it is a tender or the cruise berthing facility, it is a utility to get people to Cayman to spend their money, to enjoy the day and build business.

This is what the Baird report, and you might say I quote that a lot, but it is a very important document. It

took a long time. It says, “**Presently, cruise ship passengers arriving at Grand Cayman are transferred ashore by means of small craft (“tendering”). As noted in the OBC, while the existing tendering service at GTH is rated very highly in the industry, tendering itself is considered to be “high-risk, negative passenger experience by the cruise lines and passengers alike”**”; not to mention the elderly. “**Another important consideration is that, due to inefficiencies associated with tendering, visitors may have to wait for a long periods to come off the ships, and also have to queue and return to their vessels at a much earlier time than if berthing facilities were available. This limits the time that passengers have available to enjoy and experience the Cayman Islands.**”

Now, Mr. Speaker, I make note of that because everybody quotes from reports and I have identified the report, it is one that has been well documented, well quoted and is also the report that made a statement. You can say all kinds of things, this is qualified, this is this. This is the statement itself that is written there. “The project will not result in any significant impact on Seven Mile Beach, as no significant sediment transfer occurs between George Town Harbour and Seven Mile Beach.” That is all.

Point of Order

Mr. D. Ezzard Miller, Elected Member for North Side: Mr. Speaker, on a point of order.

The Speaker: The Member for North Side.

Mr. D. Ezzard Miller: The Minister is not suggesting that I misquoted the document? Because the section he quoted is a different section, on a different page, from what I quoted.

The Speaker: Honourable Minister?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Thank you, Mr. Speaker.

No, Mr. Speaker, this is actually a different report.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: It is a different report.

Mr. D. Ezzard Miller: Can I have a copy of that?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Of course, it is online. It is the Baird report—the same one.

An Hon. Member: 2015?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Page 19.

An Hon. Member: 2015?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Yes.

Mr. Speaker, what I am saying is that I just quoted what is written here. I am not sure what the Member does not understand about it.

Mr. D. Ezzard Miller: Mr. Speaker, I just want clarity that the Minister is not indicating that I misquoted a report from which I read, because what I read is on page 20 of the EAB Review Consultation Draft.

The Speaker: What year do you have?

Mr. D. Ezzard Miller: 2015. We do not have anything since that.

The Speaker: 2015.

Mr. D. Ezzard Miller: There is no documentation since 2015.

The Speaker: Honourable Minister?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Thank you.

Mr. Speaker, the Member is correct.

Mr. D. Ezzard Miller: Okay. That is all. That is fine.

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: I am just quoting what is here. I am assuming you did the same thing.

The Speaker: And you are quoting from the 2015?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: I am Tabling this.

The Speaker: Am I understanding correctly that you are quoting from a different page?

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Correct.

Mr. Speaker, there were a couple other parts to the Member's debate that need clarification. I made note that he disagreed with the Premier's statement about the cargo facility and its importance and whether

the statements that had been made were actually correct about the ships and the need and about it working 24 hours a day.

Let me say the first part: there are not only ships that carry containers to Cayman that use the port facility and I think the Member will agree with that; and when the cost of bringing goods ashore increases, is when ships are delayed and the goods do not go over the dock as quickly as they could if the dock had space. I think it is very clear now that the ships with cement, sand, aggregate from other countries, have to go back in the stream when the container vessels come at night and then they have to come back to discharge.

The point that was being made is that the improvement in the port itself gives another berthing area which, again, these are statistics that are available; you can see the number of days that the ships had to go lay-by. So, what does that mean? In the same exact quote that is in the 1977 magazine that was published about Mr. Berkley Bush and Capt. Charles Kirkconnell that it would, "open up and free goods coming ashore." That is where we are today. So, the importance of expanding the cargo, the importance of adding 30,000 square feet to the area where the containers are moved around and when the 30,000 square feet is added it also allows for the cruise passengers who come in the morning do not have to walk over an area that has been used for cargo.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: The point is that the cargo port is needed and the cost of doing business of bringing cargo will continue to increase when ships have to lay-by and wait on a berth.

Mr. Speaker, another point that was not brought up is that the ability to tranship containers through Grand Cayman would give the port itself another revenue stream. The idea is that the infrastructure is here, a ship could come from Miami, unload its containers destined for Honduras and then a smaller ship from Honduras comes here and tranship. No magic, it is done every day—you know that.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: That is why they added square footage. It's what I just told you.

Mr. Speaker, there was a reference to the 2016 Audited Financials for the Port Authority of the Cayman Islands and it was left in the record of this honourable House that the income was a -\$1,332,000. Mr. Speaker, the net income for 2016 was \$705,000 at an operational profit, but the comprehensive expenditure includes post-employment health care benefit, which had to be written down in that year and there were \$3,433,000.

Post-employment health benefit is provisioned to cover retired employees' health care premiums now and in the future. This benefit is determined by actuarial valuations that use many variables, hence the significant variance in the comprehensive income for that year—and I know the Member will be very pleased to hear that and understand that [for] 2018 the comprehensive income is significantly positive. So, your assumption last night was correct; the other years are very good.

Mr. Speaker, we talked about the division and the expansion of how the area used for the cruise berthing will be stand-alone and not have to be cleaned every night as it is now because [since] the area is used now for containers and discharge, it has to be clean before the cruise vessels get there in the morning.

Mr. Speaker, the Member had a concern that there was not going to be the ability for these vessels to dock at the cruise berthing facility as designed and he talked about local knowledge and expertise.

The local expertise that I depended on Mr. Speaker, is a Caymanian who recently retired as a pilot for the cruise ships after working there for years; and when I asked him about the concern he said that it should not be a concern, that the ships will be able to dock at the berth as he saw it.

However, I also want to say that this facility has been designed by a partnership with the two largest cruise lines in the world; a very well-known and respected Caymanian entity that has been here for years, McAlpine; and also Orion, who is now an owner of Misener that has not only done the dock here, but in Cayman Brac.

The reliance on their expertise would fall into the thousands of ships that sail and dock but, more relative to this conversation, the cruise berthing facilities that they have built in this area with the expertise that they have used here. There is also another part of how a cruise berthing facility is designed and modelled and that is called the Star Centre in Ft. Lauderdale where the ships go and they work until the cruise berthing facility works for the vessels. So, those are the types of steps that they have taken.

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport:

The other part that was noted, Mr. Speaker was that the Global Positioning System (GPS) actually allows vessels, based on their propeller, thrusters, aft, mid-ships and forward to hold itself in position at 20 knots.

I can only repeat, Mr. Speaker, what has been told to us through me, by local expertise and international expertise that has been involved in modelling the project. I feel that in best practice you find the best advice that is available and these people are putting \$200 million to build this guaranteeing, because they are going to send their ships to use these facilities with their

captains to take the ships there. Our comfort is that this is what they do every day.

Mr. Speaker, I think I answered most of the questions. If not, we can do a side word later.

The Wreck of the Balboa will be moved, making it more accessible for divers. There will be no off-shore dumping; the materials extracted from the marine excavation will be used on the land site construction when it is filled, the updated design moves the south pier out, away from Eden Rock.

The cargo port [will have] 30 per cent more cargo area; \$10 million KYD has been budgeted for coral relocation. There have been conversations about that, the doctor that is involved with it has committed to doing educational process and put up an area that children can visit and understand and be allowed to look at the whole rejuvenation of the coral itself.

The piers are being constructed on pilings, Mr. Speaker, that will allow the sea and the marine life to move freely underneath. This is probably the biggest question that I get from people because there has been a belief that this was going to be a causeway that would block surge back and forth; that it would be solid to the bottom and there would be concrete on top—that is absolutely not the case. Pilings, just like you would see on a highway bridge in the United States or UK, go down. Around the region, there are numerous examples of the co-existence of piers within healthy marine environment, where the pier structure provides a habitat that increases marine life, which benefits the marine ecosystem and the surrounding area. I would just invite all Members to visit the facility in Cayman Brac and see how Misener built it there; it has been there thirty-odd years. It is a good place to fish, if they did not have security there now, but it has proven to be a juvenile and breeding area for young fish.

While on the subject of the environmental factors, it is also worthy to mention and note, again, that the EIA that BAIRD undertook was broad in scope; it took 15 months to complete because of seasonality and going through all the different weather patterns. It is 425 pages in length and available on line at SupportOurTourism.com.

The EIA covered 14 individual areas of study including pedestrian and traffic studies which will help to better manage and improve the experience for all who work, shop, drive, reside around the George Town Harbour front are. I can also tell you that meetings have been taking place with the NRA and the George Town Revitalisation Manager, to look at how this is all done in a timely manner that benefits moving people out of George Town because the truth is, Mr. Speaker, that the attractions and the growth will take place all over the Island.

East End will benefit from tours; North Side—who wants more business—is doing extremely well with the caves but they want more business in North Side. Many representations to the Ministry of what they need there and how we can help.

Mr. Speaker, I think the important point is that the coordinated effort to make sure that the experience that you get when you come into George Town Harbour is that in a timely, comfortable manner, you can get off the port, into a first class taxi, tour or whatever is going to move you and you can be out and around all sides of the Island to take advantage of the CaymanKind hospitality and also, to look at what the gem of the region really is and to see about coming back as return guests.

The BREA report states that 6 per cent of the people who come consider coming back as repeat guests. If you are doing 2 million people a year, 6 per cent is a lot of people who were brought here who you did not advertise to directly—you are just able to show them your product.

Mr. Speaker, I also note that the government is exploring every possible avenue to minimise environmental impact for this project. The fact remains that George Town is a working port; we are an Island, we have to come here by air or sea.

The word that we all have to work on is 'balance'. We want to balance the economy and the environment so that we can protect it, not only for generations but also for the opportunity to move forward together in a balanced way.

George Town Harbour as a port was not decided by us here today. It was decided many years ago where the ships went, where they anchored, how they came ashore on the iron shore and put their booms over and landed their cargo. So, what we have done, is looked at an area with a business case to support that that is the area we should use.

Mr. Speaker, I have heard you say that you would like to consider the North Sound. I heard talk about South Sound, Red Bay. Mr. Speaker, our cargo facility needs to be improved; if we were to move on that today, it would be 10 to 15 years before there would be any consideration by the time the reports were done, but I think it is fair to say that the environmental impact in those areas, and the need to balance, would have to be much different than what is being worked on today.

It has been years and years that not only cargo vessels but cruise vessels—look at it when there are five or six—have been in that vicinity and the balance that we seem comfortable with today is that the environmental damage that is being done now by the dropping of anchors, by the steaming back and forth of tenders, by the staying-on engine because you did not get the anchor down of these ships, is acceptable. That is balance. We have accepted that we are balanced because we know what we are going to get and the benefit that we are going to get from those visitors.

That is an example of us working together to balance this project, to try to make sure that it's good for everyone, and that is what we have been trying to do from day one.

Even so, the government is committed to doing all we can to prevent the further and future degradation

of the George Town area. All these facts have been made public many times but they bear repeating because the public needs to hear the truth in order to make an informed decision. Whether we wish to accept it or not, Mr. Speaker, cruise tourism is now the fastest-growing sector in the travel and tourism industry.

If the Cayman Islands intends on remaining as a major cruise tourism destination, we must be willing to adapt to the new realities and demands of a rapidly changing industry. Our attention must be focused on providing the industry-standard infrastructure that passengers expect [to] ensure our cruise sector can compete and grow.

The answer that the president of Royal [Caribbean] gave, in a very comprehensive answer, was they like Cayman as a destination. They want to continue to come to Cayman as a destination. They have large vessels that they want to send here in the summer, which they are not able to do now but as more investment goes into cruise berthing facilities and the ease of a tourist visit, the ease of a vacation—in retail we say, you make it easy, people will buy—the ease of coming to Cayman and being able to come ashore on a dock is what the industry standard is turning into.

Mr. Speaker, I was asked yesterday to provide some ports that are not only growing each year but are having success:

Roatán has two ports, they are building another one. Antigua is building a new port; Belize is just finishing; St. Maarten is getting ready to expand their port; St. Thomas is busy all the time and growing after the Eastern Caribbean dilemma. St. Lucia—we were with the Prime Minister last week—is extremely proud to have signed a contract with Royal and Carnival, to build a new cruise berthing facility for Oasis-class vessels. Barbados was negotiating in the same way to build another cruise berthing facility. Nassau is in the middle of debate about expanding their cruise port with more berthing facility. Freeport is recovering and looking at building. Bermuda is doing well. Colombia is growing. Panamá is attracting. Haiti is there with their port. Dominican Republic, British Virgin Islands...

These, Mr. Speaker, are competitors in this region. This is like when you decide where you are going to shop. This is when you decide where you are going to go on vacation. I use the analogy to think about if you are going to go out on a Saturday, you are going to go to the store that is most convenient, that has the best to offer, the right prices and gives you the most enjoyable experience.

We have had the discussion; it cannot be debated or argued that there is not an easier way to get ashore than coming over a cruise berthing facility and not coming on a tender; age, convenience, safety, the lines that you go back and forth on and the time that you spend. We have a fabulous product here, Mr. Speaker. We have an obligation to continue to grow it and we have an obligation to provide opportunity. We must be ready to embrace a totally different reality

brought about by lost market share, that of job losses, business closures, reduced government income from declining cruise arrivals.

Again, that is a discussion. We have had it from the very top, they visited us, they talked about it, they want to continue but we have to be partners in this. It is very difficult, when you go to schools and you talk to young people about opportunities and about what kind of skills-set should you look at, when you have a part of your product mix that provides 20 per cent plus to your tourism product and you say, *we are not trying to grow that; what we are doing is hoping it will stay status quo knowing that it will not.*

We must also understand and accept the fact that, as the cargo port strains to continue its operation in cramped conditions its challenges will begin impacting our way of life as, [being] a small Island Nation, virtually everything we use on a daily basis to be cost-effective as food, clothing, medicines, vehicles, electronics, arrives by our seaport and is unloaded by a very, very competent Caymanian staff at the Cayman Islands Port Authority.

Mr. Speaker, we know that the space is already too small, we have had a good discussion about that this afternoon and we look forward to the continued growth of our country, which means a continued need to grow the facilities and infrastructure at the Port Authority.

Mr. Speaker, cruise and cargo port have existed for decades and neither one at this point is meeting the current need. For this reason alone, it is self-evident that they must be developed together, aside from the fact that it will not cost Cayman because of the new revenue stream.

Grand Cayman is operating in a regional market place where our competitors are constantly improving their facilities and rising the bar ever-higher.

Think about what is sold when you take a cruise. You are able to compare five different destinations, each wanting you to return as a stay-over guest—you want to be the best-in-class that they visit.

Cayman has the friendliest people, a safe environment, a pattern of attractions that people feel they get value for money. What Cayman does not have, is the same comfort and luxury of people walking ashore and being able to depend on coming back with goods easier, and safer, than our competitors are offering. If you want to do an exercise, go online and look at the different ports and out of all the ports they stop, you will find that Cayman is the only one that does not have a cruise berthing facility.

As a government, we know that the bedrock of our prosperity and success is a strong economy and it rests on twin pillars—finance and tourism. In the same way, Mr. Speaker, that it would be foolhardy for us to consider abandoning tourism to concentrate on financial services because tourism contributes less to our national treasury, it is important to clearly understand that we have to build and grow our tourism product and

this is one of the pieces of the market mix that is available to us and for us to continue to work on it.

So too, to think that the cruise tourism industry can fall into decline in favour of stay-over arrivals. Mr. Speaker, I submit to you today that they each have their own merit and contributions from both are required to keep our economy vibrant and healthy.

If you drive a taxi, you are a Caymanian. If you have the time, look at the number of Caymanians who are involved in the cruise industry and look at the number that are involved in stay-over, and what you will find is that it is a necessary balance to have two important parts of your tourism component that we as oversight have to work to manage how we maximise the revenue from both.

Stay-over tourism has the highest average daily rate in the region. We have managed that, we have pushed that. We have Airbnb, which is pushing into the communities and getting the CaymanKind experience. We do not have the tool to manage our cruise industry because of the infrastructure needs and demands that are placed on us. We must work together to strike the balance to grow them side by side, not taking or hurting either one.

As a direct result of the government's prudent fiscal management, our economy is strong. Construction is booming, businesses are stable and Caymanian unemployment is at its lowest in several years but if we do not work to continue that, if we do not work and use the assets that we have to continue that opportunity Mr. Speaker, it can go away in a hurry.

Against this backdrop, the vast majority of the feedback I received, Caymanians recognise that the balance must be struck between safe-guarding cruise tourism, growing our economy and protecting our environment and we have gone to great lengths to try to strike the balance for all.

Mr. Speaker, what would we do if the cruise industry declines? If businesses fall away, or fail [and] we lose 20 per cent of our cruise industry, 20 per cent of jobs in the cruise industry, 4,500 jobs like the BREA report says? That is a lot of jobs to lose.

The skills-sets that the people in that industry have—where do they fit in to another part of Cayman? This is not something that can be done in a very short period of time. It is something that is needed if we make a decision. We have to plan for this, we have to protect our people, we have to protect the educational value of what they will need and plan for it which, at this point in time, we have done six years of planning and expanding and looking at the opportunity from the very top to the bottom of the industry and the need for cargo to be grown and cruise to continue to develop in a very positive way.

Mr. Speaker, there is no question that the port project is an issue that many people feel strongly about, irrespective of whether they are for or against the project continuing. As individuals, we are entitled to have and express our own opinions and I am fully supportive

of the right to do so. I also welcome and encourage constructive criticism, as it can lead to productive and beneficial outcomes.

Mr. Speaker, there were a couple other questions that some of the Members wanted to get answered. The Leader of the Opposition made a point yesterday of talking about not having information and I made the point again, today, that questions that were asked, that we did not have the answers to because of the timing of end-of-May to July time-frame design/build/finance/maintain model.

How much will it cost? What does the final design look like? What is the environmental footprint? We simply did not have that; but I will say this about the Leader of the Opposition: he has my phone number, every one of his fingers work and he calls and I call him back. Right now, we are working on a tourism project in East End together.

So, I think that it may have been a little bit of politics yesterday, just a little, directed at me. There might have been some directed to other people, but I want to make sure he clearly understands that East End is a very important part of the tourism product of this country. Morritt's is in East End, Reef is in East End. He has a new boutique hotel going up there owned by Lynn Bodden. We are looking at the park, as I said. So, I think that whatever other answers I can afford them, I am happy to do it. The political part and the politics he was playing yesterday, I am going to have to leave that to the Premier.

Also, Mr. Speaker—

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: I am coming to that. Okay.

Now, Mr. Speaker, I explained where we were with answers but my good friend, the Deputy Leader of the Opposition—we chat a lot, he too calls and I call him—I said to him, *'we are prepared to have a meeting, check it and let me know'* and that is how that was left. Yesterday he mentioned that there had been conversation so, again—

[Inaudible interjection]

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: No, no, Alva, I want to make sure that is understood both by him and the Leader [of the Opposition].

Point of elucidation

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, on a point of clarification.

The Speaker: Honourable Leader of the Opposition, are you rising on a point of order?

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, the Deputy Premier knows that I have the utmost respect for him.

What I said yesterday was that he promised that we would have a meeting and it was for his people to get back to me to arrange a particular time and that had not yet been arranged.

It was not left to me to do it and I appreciate that we are all getting older, and our memory tends to slip us at times, but it is a matter of clarity; and I am not saying that he deliberately did not do it. It may have been a slip, you know?

The Speaker: Take that as a point of clarification.

Hon. Moses I. Kirkconnell, Deputy Premier, Minister of District Administration, Tourism and Transport: Thank you, Mr. Speaker.

Mr. Speaker, what I now realise is that he was not the Leader of the Opposition when I had that conversation with you; understood. That is what happened with that.

Mr. Speaker, there were also some things mentioned yesterday that I think will make the Deputy Leader happy because he wants an update on tourism in the Bodden Town area, especially. The conversation about a cruise berthing facility, meaning the ships will be here longer, will again, be advantageous to the eastern districts especially Bodden Town.

I can also tell you, Mr. Speaker that the Pedro visitation this year over last year is up 15 per cent and most of that is based on cruise tourism because of some new tours that they are doing there in a combination with Crystal Caves.

I can also happily tell you that the Botanic Park is up 5 per cent, but most of that is from stay-over from the North Side and East End area. I think you have also seen that we are moving the International Scuba Diving Hall of Fame to a permanent home at Pedro, for another attraction to be available in the eastern district, and I mentioned the boutique hotel in the eastern district.

I am also happy to mention that the Mandarin project is at planning now—huge project, very important for the eastern districts. The Mandarin itself is very important for another 5-star property and more rooms in that price range.

I think that is what I had so I will just wind-up with a couple things, Mr. Speaker.

There was also a big rumour and chat about China Harbour was going to be the preferred bidder and it was going to cost \$400 million. I think we can put that to rest today—that is not going to happen.

Mr. Speaker, it is also important to remember that the Port Authority will manage this project; it will set the number of people who arrive, the management of a cruise berthing facility, the standard is not usually that

the port authority of the country runs it. It is that the investors run it and we did not let that happen and we would not let that happen and that was one of the points in the negotiations.

Mr. Speaker, the upland development: When you see the actual overview, you will see a building and that building is the same square footage as the building that is there now so there is no upland development being added to it, it is just being replaced with the same square footage.

Mr. Speaker, a couple of quick things that maybe people can take heed and think about. The cruise berthing facility payment model is the same as when you go on a toll highway: every time you go, you pay a toll. Every time a passenger goes over they pay a toll. That is how it gets paid for.

Also, I have used this example before but I would like to use it to finish up: Tourists and locals used to come here by sea-plane and they would land in the North Sound and when the door was opened it was opened by a gentleman in a pith hat and a skiff and long before 1977, when they were going to expand the dock they said, *"We are going to build an airport,"* and the community said, *"Why do we need an airport? You will never fill the ponds on the west side of that property—you will never get it level. We now have tourists arriving by sea-plane, we have a little tender taking them off and bringing them ashore; we do not need to think about the infrastructure of an airport at this point."*

I don't know what would have happened if we listened to those nay-sayers at that point and not build an airport, Mr. Speaker. So, I think that is a way for us to understand that the future is growth. We have to balance the future and protect all the different parts of it, but I end by saying that the Government has a responsibility and takes it very seriously. Its responsibility to the country is to develop its economy for the benefit of the people; to offer good health care, good education, good infrastructure and this government takes that very seriously. We work on it every day and I truly believe that the glass is half-full for this country. There is just such a bright, bright road ahead of us and as Dave Martins says, *"That's Cayman."*

Thank you.

[Desk thumping]

The Speaker: We are going to take a break for 15 minutes, so we will come back at 3:20 pm.

Thank you.

Proceedings suspended at 3:07pm

Proceedings resumed at 3:29 pm

The Speaker: Proceedings are resumed. Please be seated.

Before we continue, we are privileged to have with us members from our Youth Parliament. We are

very pleased to have them with us at the formal gathering of the Legislature. We want to welcome them and of course, all of you should be on your best behaviour.

Does any other Member wish to speak?

[pause]

The Member for George Town Central.

[Pause]

Mr. Kenneth V. Bryan, Elected Member for George Town Central: Mr. Speaker, thank you for the opportunity to rise today to give my contribution to this historical—so much anxiety to give my contribution, I am talking gibberish, Mr. Speaker.

Before I do that, I want to welcome the Youth Parliamentarians to this honourable House to witness some of the procedures of what we do here. I am honoured to be one of the Members they are going to watch, in respect to this debate.

Also, Mr. Speaker, I would like to give some apologies to some members in the gallery, by one of my colleagues here today in his contributions. Mr. Speaker, I am quite embarrassed, to be honest with you, but I want to send apologies on behalf of the Opposition, and that includes the Member for North Side. Mr. Speaker, I am specifically referring to the Member for Prospect, calling persons "muppets" and then suggesting that people should be lucky. Mr. Speaker, each of us Members in this House should be lucky that we are here and remember that the power lies in those persons who come to this gallery. So, on behalf of the Opposition, I don't know about the Government, but take the apologies on behalf of the Opposition.

Mr. Speaker, I had a prepared speech, ready to go until the Honourable Premier gave his contributions. So, unfortunately, I have to put this aside for a little bit and address the Premier's contributions last evening.

The Premier gave contributions last evening, 35 pages worth—

[Inaudible interjection]

Mr. Kenneth V. Bryan: Last morning; thank you, colleague.

Thirty-five pages long, pretty comprehensive but I dare say, Mr. Speaker, not very factual, and we are going to go through some areas of his speech that I am a bit concerned about.

The first concern, Mr. Speaker, lies in page 2 in the first paragraph and it reads:

"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 Members for Savannah; the Member for Newlands; and the Member for George Town Central. —so he called me out first, so feel no way when I respond.

Now, Mr. Speaker, allow me to refer to some documents that I know this honourable House will be very familiar with. The Premier was insinuating, later on

in his speech to say, **“For completeness, Mr. Speaker, I also lay on the Table a copy of the Progressives 2017 Manifesto.**

“Indeed, their smiling faces appear on the cover of the Progressive’s 2013 Manifesto, which I would like to now lay on the Table of this honourable House.” What he was inferring, Mr. Speaker, was the fact that because we oppose the port right now, and because we were a part of the Progressives in 2013, that we are acting hypocritically.

Now, Mr. Speaker, let me clarify the reasoning behind why we have the opportunity, as the Opposition, to oppose the current Government’s plan. On page 7 of the 2013 Manifesto, it refers to cruise and I will read:

- **“Cruise-ship landing – at last. We need attractive, durable facilities – not new cities.**
- **Promote Grand Cayman as a home port destination.**
- **Encourage the revival of central George Town as a place for tourists and residents to work, live and play.”**

And I agree with that. Mr. Speaker, I want to go through a couple points of this manifesto but nowhere in the manifesto that I, the Member for Newlands or the Member for Savannah was a part of, said anything about cargo and cruise together. So, stop insinuating that we are hypocrites to oppose what the Government is currently proposing. We have a right. But, since he wants to suggest that we are hypocrites, let’s talk about some of the hypocritical things this Administration is doing right now.

On page 8 of their 2013 manifesto, which I was a part of—under the heading: **“Taking Care of Our Tourism Cruise Industry”**

- **Protect our natural environment for the benefit of visitors and locals alike.”**

Key words “protect”, “natural” and “environment”.

Moving on, Mr. Speaker. On page 9, talking under “Cruise Berthing” it reads:

“The Progressives will move swiftly to get the cruise berthing built, thereby providing major economic activity, putting people back to work and boosting the tourist industry. We will not try to build another city offshore George Town to compete with existing merchants, but rather to provide berthing for the big cruise-ships, which currently pass us by. This is a critically important project and we will make it happen.”

Now, nowhere in there does it say anything about cargo and you might be asking yourself the question: Why am I talking about cargo? But we will get to that in this debate.

Mr. Speaker, I want to move on to the fourth point of the 2013 manifesto that I was a part of that the Premier has highlighted. On page 10, [subheading] **“Revitalisation of the George Town City Centre”** it says:

“The George Town City Centre has been slowly diminishing in stature, deteriorating in appearance and losing relevance as a hub of business and activity. More and more businesses have migrated to Camana Bay and other locations. However, the seaport remains and will remain for the foreseeable future in the city centre.”

I want to take this opportunity... No, I will come back to that in a second. Further down on the same page it says:

“This means we must make it attractive for the cruise visitors who support the duty-free and other businesses that remain. The Law Courts, the Legislative Assembly, the Public Library and National Heroes Park are also permanent fixtures in the city centre. The Progressives believe that it is of critical importance that the city centre—again, I want to highlight that “crucial importance”—not be allowed to die but that it regains its once pre-eminent status as a hub of economic, commercial and social activity.”

Remember that, they want George Town Central to be the hub of social activity. So, we are going to get to that, Mr. Speaker. Moving to page 10 and please allow me to read this part, Mr. Speaker. It is a part where my name is there when they were supporting me but they didn’t support me in 2017; but that’s okay, I am here. Under my biography it says:

“Kenneth Bryan

“As the youngest member of The Progressives’ team, Kenneth has a natural affinity for issues affecting young people. He is especially concerned about the high unemployment rate among people under 30, their education and training. A television reporter by training, Kenneth has seen all sides of Cayman and believes The Progressives vision of a Cayman where people from all walks of life have equal opportunities provide the best hope for the future of all Caymanians and residents.”

So, at least they boost me up a little bit, even though they tried to change that back afterwards; but, moving to another area of the 2013 manifesto, Mr. Speaker:

“PROTECTING OUR ENVIRONMENT AND A GREEN ECONOMY

“Living on a small island nation that is vulnerable to the effects of climate change, our generation of Caymanians has a special responsibility to manage our marine, natural and built environment for the generations that follow after us.” Let me read it again. This is the 2013 manifesto which they say that I am a hypocrite, but I am highlighting the parts why I agreed to be a part of the manifesto. Let me read it again:

“Living on a small island nation that is vulnerable to the effects of climate change, our generation of Caymanians has a special responsibility to

manage our marine, natural and built environment for the generations that follow after us.”

Mr. Speaker, I am comfortable with adhering to that 2013 manifesto, but because I have a different position today, the Premier nor this Government can't suggest that I am a hypocrite because nowhere in this does it have cargo. Not one spot. If you can find it, please correct me when it is your time to speak.

Mr. Speaker, this also boils down to the notion about what my manifesto said; because remember now, I wasn't elected in 2013. So, even if they were to accuse me to say, “Well, you campaigned with us with the cruise berthing”, the people didn't think that that manifesto I was a part of was good enough to elect me so that is irrelevant in my eyes; but what is relevant, Mr. Speaker, is when I did get elected under my own manifesto, and allow me, sir, to provide you with a copy because I am about to read from it.

At the bottom of page 4 of my manifesto, when I got elected in 2017 it reads: “We need to decide what our priority model is in tourism and stick to it. We know that we make more money and more revenue from stay-over visitors; our focus should be on quality not quantity; a high-end jurisdiction, not a cheap jurisdiction. It is better for our long-term success in tourism. We do not have the land mass an all-inclusive approach.” [UNVERIFIED QUOTE] Another set of words we can use is this mega-ship approach because that is the same thing they offer. This is what I got elected on, not on the 2013 manifesto that the Premier is attempting to suggest [for] myself and the Members for Newlands and Savannah.

However, let me continue on to say what was in my manifesto: “I will support efforts to find the most environmentally friendly option for a new seaport, as long as it does not come at the expense of the economic survival of our people.” So, there is a caption in there, there are some limitations, so do not call me a hypocrite. I know what I got elected on. Maybe the Government doesn't, but we will get into that too.

I support the air redevelopment—that is about the airport, we do not have to go into that. But that is what was in my manifesto, that I got elected on. Not the 2013 that the Premier is accusing me of, that I did not get elected, but since he wants to examine about mandate, because that is what he brought up—mandate.

You have two Members, Mr. Speaker, of his Government who were former C4C members and I have a copy of the 2013 manifesto of the C4C members. Two of them are Ministers in his Cabinet, Mr. Speaker.

Point of Elucidation

Hon. Tara A. Rivers, Minister of Financial Services and Home Affairs: Mr. Speaker, a point of elucidation: there was no “membership” of C4C; we were independent candidates endorsed by C4C. It is a very different concept.

The Speaker: I take that as a point of clarification.

Mr. Kenneth V. Bryan: I want to thank the Honourable Cabinet Minister for that clarification. I do apologise, she is an independent Member and was then and still is, according to her own words; but let us refer to the plan that she subscribed to in 2013.

On page 2, under section 2 – Executive Summary, it reads under number 5: “Sustainable development: ensure planned and managed growth and development in harmony with our environment.” Key point number 2 of the C4C plan under page 8—remember, Mr. Speaker this is what got the two independent Ministers elected but now one of them is a member of the Progressives—the Honourable Minister for Finance. Under page eight the last two paragraphs read: “The Natural resources of the Cayman Islands should be protected and managed responsibly to ensure that the future generations inherit a healthy and viable environment. Sustainable development ensures that decisions taken achieve environmental, social as well as economic outcomes through an integrated participatory and transparent approach to decision making.” [UNVERIFIED QUOTE] Remember this word now you know, “Transparent” because we are going to get back to that.

“There is a movement towards making the Cayman Islands more sustainable economically, environmentally and socially. As legislators we will continue to support these efforts and adopt strategies to further ensure that any and all development projects undertaken by public and private sector will be done in an economically, environmentally and socially responsible and sustainable manner.” [UNVERIFIED QUOTE] That's what two Members of this current Government signed up to. So, let's talk about mandate, in respect to what their mandate is because they keep on talking about this mandate but Mr. Speaker, I apologise, you having been able to miss this boat because you also ran with a manifesto. It's manifesto for 2017 Cayman Democratic Party [CDP]. I am well aware that there are three Members who support this current Unity Government. So, let's think and talk about what is in—

The Speaker: Honourable Member—

[Pause]

The Speaker: You shall not refer to the Speaker again in that manner. There are two other Members and if you so choose to refer to them, they are quite capable, I believe, in defending their position. But I am sure that you don't want me to defend mine. So, for your own benefit, don't refer to the Speaker in that regard.

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker and please do accept my apologies. You are correct, as the Speaker—

The Speaker: I see your exuberance [*inaudible*]

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker. I do apologise that I jeopardise your neutrality and forgotten your ability to defend yourself as Speaker. So, I never should have addressed you directly, in respect to this matter, but there are two Members who support the current Cabinet. So please accept my apologies.

Those two Members who a part of this Administration and supporting them—and I dare say that it may only be one but I think everybody knows what we are talking about in respect to that.

I read the Manifesto of the CDP, I didn't have any intention of addressing it but because the Premier called me out about mandate, I had to. Before I go into the key points of this manifesto, nowhere in this manifesto—and it is quite extensive, I must say over 38 pages long. It has a lot of details—does it say “Cargo”, not one spot. So, the cargo and the cruise concept, where is the mandate? Because the Premier said in his opening remarks yesterday that they have the mandate because they campaigned on it. So, we know that the independent Member for West Bay South didn't. She is an Independent, so she wasn't a part of the PPM's Manifesto. We know that in the C4C that they didn't deal with cargo; so where is your mandate? We know that the Member for Prospect has changed his mind, now that he has been elected but campaigned against it! So where is your mandate?

Let's get into the C4C. Point one, Mr. Speaker, on page 16 of the Cayman Democratic Party Manifesto, at the bottom it says: “The CDP will review, upgrade and expand the National Tourism Management plan aimed at rebranding and repositioning the Cayman Islands as a unique...”[UNVERIFIED QUOTE] that's a key word, ‘unique’ “...tourism destination including plans and strategies to expand trade markets, create new markets and increase visitor arrivals, particularly high spending visitors. Unique high spending visitors. On the last sentence of this page, “There will also be diversification of our tourism product and expansion of ecotourism facilities” [UNVERIFIED QUOTE]

Mr. Speaker, for clarity, let me allow this honourable House to understand the meaning of ecotourism. By definition it says, “**Tourism directed toward exotic, often threatened, natural environments, especially to support conservation efforts and observe wildlife.**” Where are their mandates? This is what they campaigned on, the support of the Government but let's move on to the other parts that the Honourable Premier spoke about in his speech.

On page four, Mr. Speaker, he reads: “I can tell this House and everyone outside of it that I join the voices of those who say they wish that they had one in place.” And he was speaking to the Referendum Law. The Premier brags about the fact that he has been in power for six years. How long is it going to take for you

to do it? He also says that the C4C took a year to collect these signatures.

Hon. Tara A. Rivers: Mr. Speaker, again, I know that the speaker is very excited and very enthusiastic to get his point across but he needs to be very clear, unless he is misleading the House and the Chamber for his use of C4C's, CDP... what exactly are you trying to say? I think you need to be clear, okay? Because I think your reference earlier was “mistaken”, so you might need to clarify that for the listening public as to the record that you just read as well.

The Speaker: Do you want to clarify which one you were talking? I think that is what the Member is asking.

Mr. Kenneth V. Bryan: Mr. Speaker, thank you. For clarity, I am now speaking about CPR, not the C4C and I do apologise if I have made anyone uncomfortable in respect to that reference.

An Hon. Member: Kenneth.

Mr. Kenneth V. Bryan: One second, Mr. Speaker.

[Pause]

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

As I was saying the Premier has had close to 7 years now to implement a Referendum Law. He also accused CPR of how long they took to get these signatures, so he was well aware that there was a People's Initiated Referendum petition going—why didn't he prepare the country for it? Yet he claims that he wishes he had one.

Mr. Speaker, the Premier also spoke on Page 5 in the last paragraph, that he understands that the Peoples' Initiated Referendum is a numbers game. I am saddened to know that the Premier thinks that what we do in this honourable House is a game; unfortunately, I do not.

He keeps talking about good faith. I wonder if the Premier would act in good faith by telling the whole country to come out and vote rather than to tell them if you stay home, you are supporting the port. Would good faith not be saying “*Everybody come and vote; but I want you to vote Yes, so we can send a clear message to everybody in this country that we support the Government.*”

No, that is not good faith. Good faith is to play the game of that 20 per cent that does not turn out so they can say, “*Well, everybody who did not come is in favour of this port*”, because he and everybody in this House knows—especially the senior politicians—about that 20 per cent that does not come out normally. We have never had more than 80 per cent or around that. But we are going to play the political game of good faith? That is nonsense, Mr. Speaker.

If the Premier was acting in good faith, he would have respected the requests of the CPR Group when they e-mailed over 7 times to say, *"Mr. Premier, on behalf of the 25 per cent of the people in this country that we obtained signatures from, can we sit down and talk about the process moving forward."* That is good faith, if you have the decency to respond.

Now, Mr. Speaker, I know he might not be paying attention to it because of his nonchalant attitude; as they say, *"Well, they can talk all the legal advice they want, we took our legal advice too"*, and that is the problem with this country and this leadership; this disrespect—disrespect—to the hard-working members of the CPR Group. Regardless if we like them or not, no one else in this country has been able to accomplish what they accomplished for the first time in our history and they disrespect them; do not even have the decency but now you know what they have done because of the lack of respect for those persons and for those who they called "leaders of the muppets". Muppets, they called them, Mr. Speaker.

Now, those "muppets", because they want to protect their democracy, have to go and find money to find lawyers to ask, *"Is this unconstitutional?"*, simply because of the Premier and this Administration's disrespectful attitude. You cannot give them the decency of an e-mail, whether you like them or not. There are many Members of this House who I do not like but I have to talk to because it is my job!

[Laughter]

Mr. Kenneth V. Bryan: But now you know what is possible? Here is what the lack of respect and good faith has done: we now have—and I had it delivered to me, too—and Mr. Speaker, allow me to lay this on the Table of the House, because I definitely want this in the records.

[Inaudible interjection]

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

What you have in your possession is an e-mail and letter sent by hand to the attention of:

His Excellency the Governor;
The Premier, Hon. Alden McLaughlin;
The Leader of the Opposition;
The Hon. Attorney General;
The Auditor General and
The Elections Supervisor

In it, is an opinion by local respected Attorneys-at-Law, Broadhurst. I do not want to use all my time reading the entire letter but I want to summarise it.

Mr. Speaker, it is a legal opinion by an overseas Queen's Counsel (QC) indicating to the Premier that they intend to challenge this Bill, in its current form and it gives the grounds within it. Some of those, just for a little coverage of it because I think it is in the public

domain already, they intend to challenge it on the basis of:

"5. a. The setting of the Referendum question without first enacting a law that prescribes the manner in which the referendum question is to be set;"

Now, some people may think that is not a big deal, but I am going to bring up something that the Attorney General is going to have to deal with and will be relevant as to why we should have had a Referendum Law before we did, and I know some of you will say, *Well, boy, we had Referendums before and never had a generic law that falls under all referendums*, but this one is rather unique; never done before, and we have a problem, but we will talk about that a little bit later on.

The other part that they were concerned about was **"The setting of the Referendum date without first enacting a law that prescribes the manner in which the referendum date is to be scheduled;"**.

Third one: **"The exclusion of application of Part V of the Elections Law, 2017, which addresses campaign financing limits [...]"**.

Now, that is a big deal. You know why? They are using the public's finances to campaign against the people! You do not think that those people who organised the CPR are Caymanians too? They pay their taxes too! You might not like what they say, but when they pay their taxes and you use their money to campaign against them, it is not right.

Mr. Speaker, I want to thank my lovely wife for reminding me about the Brexit Referendum and the fact that they gave equal amounts of campaign financing to those for and against Brexit. That is our Mother Country. That is why we should have had the Referendum Law before; but that is not the key point for the Attorney General, we will get to that shortly.

Next one: **"The exclusion of the application of section 91(1) of the Elections Law, 2017, which would otherwise ban of intoxicating liquor on referendum day."**

Now, I am careful with this one because boy, I have a few people in my area have a little drink now and then, you know. So, I am mindful that regardless if it is illegal to buy it on Referendum Day, they can buy it the day before and sit home and drink and still have the concerns that people are worried about.

What I am worried about, in respect of sale of intoxicating liquor on Referendum day—and I get what the Premier is talking about, in respect of well, they got businesses and Christmas parties and all that—I get that and I am not here to hamper the business community but remember now, when you do this, you are setting a precedent. The next time it will not be around Christmas, it will be in the middle of April. What are you going to tell a business owner who says, *I want to sell my liquor this day; you did it the last time*. Be very careful what you are doing, you are setting a precedent and they have a right to challenge that concern but Mr.

Speaker, I better move on because my time is going to run out very fast.

This challenge simply says, *can you please address the concerns in it, because otherwise we will challenge*. Now, the Premier has basically said, *go ahead, we accept the challenge*. Mr. Speaker, before I go on to other parts of the Premier's speech, I remember the Member for George Town West speaking about getting responses from his constituents and I am proud of you for that. I like that; that is what I do.

Yesterday morning I sent out a message from my phone, because I try my best to get direct involvement from my people as much as I can and let me just bring up exactly what I said. I said, "The question: 'Should the Cayman Islands continue to move forward with the building of the cruise berthing and enhanced cargo port facility?' "

"Good morning, everyone. As I go today to debate the Referendum Bill in the Legislative Assembly, I want to get a good sense of your views on the Referendum Question. Please, I ask you to simply respond to my WhatsApp message with a Yes or a No. This process will help me best represent you.

"God bless, have a wonderful day.

Kenneth Bryan, MLA, GTC."

Mr. Speaker, 12 Yeses; 12, [from] 389 participants in my WhatsApp broadcasts—twelve "Yes".

So, in all due respect to the Member for George Town West, your people are supporting you, I am happy for that; my people are telling me no. I now have to justify the other 12 who said, 'Boy, Kenneth, I want you to support it', but I am here to do a democratic process and that process is to go through by the majority.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Now, Mr. Speaker, I will put a caveat on that which is, there are 1240-something since the last list that came out in my constituency. Now, I wish I had the WhatsApp number for every single voter in George Town Central but I do not. I got elected by 495 [and] 495 of those do not necessarily have the efficiency of WhatsApp. I just got my mother on it the other day, now she is hooked.

Most of my members are seniors; they would not be able to have access to a WhatsApp and get instant data, but I did a survey and many Members in this House will recall me talking about it in the media. So, those ones who weren't necessarily on WhatsApp I talk to them too and the general attitude in my constituency is no. But, to add to it, here is an e-mail and I won't say who it came from yesterday Morning. It reads:

"Dear MLA Bryan,

As a registered voter within your constituency and a citizen of the Cayman Islands, I am writing to you today to inform you that:

1. Support the push for the change of the date on the on December 19th

2. I believe that all registered voters should be allowed to vote in the referendum, including those 220 people
3. There should be no alcohol sales on election day
4. The campaign finance should be addressed;
5. Make cargo a separate issue

"Let me go on to say that Constitutional Law experts have found the Referendum Bill in its current form to be unlawful and in violation of the Constitution." [UNVERIFIED QUOTE]

They asked me to do my best to change it. Obviously, I had to call that person back and say, *listen, there is only a limited amount of what I can do, because I am in the Opposition and this is a Government thing*.

I will take the opportunity to read another document and this document is a letter addressed to the Elections supervisor on the 16th September.

Now, I want to put a caveat on that because I have had discussions with the Supervisor of Elections and there were some electronic delays and unfortunately this letter didn't get to him until sometime after. Actually, close to the October 1st deadline or possibly after, but it did go to the other person I sent it to, which was the Cabinet Secretary. Now, you might say, *why is that relevant?* Let me explain why. It goes back to the request of one of my constituents about what she wants me to do on her behalf as her representative—talking about those 220 people who will not be able to participate in this referendum.

On the 16th September, I sent a letter to the Cabinet secretary and it reads:

"I write to express my concerns that the newly registered voters in the Cayman Islands may miss their democratic right to vote in the upcoming referendum. According to my understanding of the Elections Law, 2017 (Revision) persons who have been registered to vote after July 1st would not be able to participate in the referendum if called before January 1st."—which is exactly the situation that we have right now.

"A number of newly registered Caymanians have voiced their dissatisfaction with this potential reality and find it to be very unfair. Losing out on the opportunity to participate in a historical constitutional enacted provision, this letter could be for naught if Cabinet decides to have the referendum after the 1st January 2020.

"I should note that the Premier has indicated publicly that it is the intention of the Cabinet to call the referendum as soon as possible after the verification process has been completed. Does this mean that before January 1st 2020? At this point, no one knows, which gives the legitimacy to my concern.

"It should also be considered that the public was only recently notified on the 11th September that the constitutionally recognised petition by the CPR Group, 2019 guaranteed that there would be a referendum. Though it may be seen by everyone that they had

enough time to get registered, for the possibilities of a referendum has been in the public's domain for some time now, but it can only be expected that persons who wanted to be registered now because the referendum is certain now. With that in mind, under the principles of democracy, the public must be granted a reasonable amount of time to be able to register and participate in the upcoming referendum whenever called by Cabinet.

"Therefore, as a representative for George Town Central and the people of the Cayman Islands, I am asking you, the Supervisor of Elections, to use provisions within the Elections Law to make recommendations to the Cabinet that they may allow the required time for persons to be on the Register of Electors list, used for the referendum, to be up to 30 days before whichever date that will be announced by the Cabinet for the referendum.

"It should be noted that the Supervisor of Elections, exercising his powers via the Elections Office is not unprecedented as this has been done in the past elections. Therefore, in the absence of a Referendum Law, I think as the Supervisor of Elections, you would accept that this is indeed a reasonable request.

"Mr. Howell, on behalf of the many concerned Caymanians, we look forward to a favourable reply early."

Now, I want to make sure that I do not throw the Supervisor of Elections under the bus, because he is a good man.

[Inaudible interjection]

Mr. Kenneth V. Bryan: He said to me that the section that I highlighted, there does not seem after legal advice that there are any provisions under that, that we could make changes to the Elections Law.

However, let me tell you a little something because that does not get the Government out of this yet, you know? The Supervisor is out of the way, but not the Government.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Because the Elections Law, we cannot go back and change that, at least not now—they will not do that. But this is a brand-new Bill. This is a brand-new Bill that we are creating, Mr. Speaker.

The Speaker: Honourable Member, have you moved on from this letter?

[Pause]

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

This is a brand-new Bill so if they wanted to put provisions in this because we do not have a Referendum Law. You see, if we had created a Referendum Law a long time ago, we could have put provisions in place to update our archaic Elections Law that is from

19-how-long. We would have been able to put in a more efficient, more electronically motivated election registration process, where people can go within 30 days of any election process and say *I want to be counted in the democratic process.*

Do you know how long it takes to get on the list? 6 months. To participate in your democracy; we could have changed that—brand new Bill, right now. We could have put it in this, but we chose not to.

Mr. Christopher Saunders, Elected Member for Bodden Town West: But who is "we"? Who is "we"?

Mr. Kenneth V. Bryan: I apologise. The Government chose not to.

Mr. Christopher Saunders: Yeah, don't put me in that.

Mr. Kenneth V. Bryan: Not the Opposition. We had nothing to do with the drafting of this, our job is to critique and represent.

[Inaudible interjection]

Mr. Kenneth V. Bryan: And give advice—thank you, Minister.

[Inaudible interjection and laughter]

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

Mr. Speaker, what transpired just now is something I am happy about because it shows that regardless of our political differences—this is our politics, it is about policy. It is never personal.

Particularly because the Youth Parliamentarians are here; I want you to recognise that we are still friends after this but this is just a robust debate about a policy position. Okay? I appreciate the joke, Minister.

[Inaudible interjection and laughter]

Mr. Kenneth V. Bryan: Now, Mr. Speaker, allow me to move on. I think I clarified that point about the letter that I wrote to the Elections Supervisor.

Now, let me go on to another area of the Premier's speech—as a matter of fact, let me back off the Premier for a little bit because they are going to say that I targeted him.

[Inaudible interjection and laughter]

Mr. Kenneth V. Bryan: No, no, my skin is hard from licks now.

Mr. Speaker, the Honourable Minister of Finance said in his deliberations a few minutes ago that the cruise and cargo were a part of the PPM for over ten years or something to that effect, and I stand to be corrected but he said at least the last two administrations; I am almost certain that I clarified that just a minute ago, to say that there is no mandate here.

There is no mandate about cargo and cruise, so he needs to get his facts correctly. There was a mandate for cruise, but there was no mandate for cargo. This is 2013.

Mr. Speaker, I see that the Minister of Finance is indicating that maybe he wants a point of clarification. We can get the Hansard to see—okay.

Mr. Speaker, I want to move now to an area that is really, really concerning to me and has to do with the mixing of the votes. In section 58 of this Bill is nothing less than a clever manoeuvre to disenfranchise the Opposition Members, deceive the voters of each electoral district and dupe the other Members supporting the Government.

Mr. Speaker, the Bill before us calls for all the votes in the referendum to be mixed together. Section 58 (1A) & (2) reads:

(1A) “Upon receipt of a sealed ballot box from a returning officer under subsection (1), the Supervisor shall break the seal thereon in the presence of observers and of any other persons who are lawfully in the counting station at that time and place all the ballot papers therein contained in the appropriate ballot box which shall be provided, and in such box all the ballot papers removed from the ballot boxes for the electoral districts in the referendum shall be placed and mixed together for the purpose of being counted.”

Now, I know some of my other Members have highlighted some problems about it already but I need reiterate how disappointed I am with this section of the Bill. For the listening audience, when you mix all the votes together, no Member of this Honourable House will know how their electoral district felt about the port. None of us in here and I think this was an intended move, and I will explain why.

You see, Mr. Speaker, if the numbers were counted by electoral district and the results came in and one of the Members over there on the Government's side show that the majority of the people in their constituency said no to the port, I believe the Premier is afraid that that person would say, *sorry Mr. Premier, I can't support the port anymore because my job is to represent the majority of the people in my constituency.*

That's your job! Your job is to represent the people in your constituency the same reason the Member for George Town West sent the message out to all of his people and said, *tell me how you feel* and everyone came back saying Yes. This will be the process upon which we can be concrete and sure on what our people want. Give the data broken down.

I believe the intention was that he didn't want to lose any support over there because he is not sure which of those constituencies may come back being against the port. Here is why I am even more disappointed, because you are disenfranchising me to do my job on behalf of the people of George Town Central. I

am here to represent the people of George Town Central in this honourable House. I want to know what the majority says in George Town Central because if the majority comes back and say, *listen, we want the port!* Then I am going to have to swallow every word I spilled here today and get up say that I support the Government. That's my job! And get a shovel, like the Leader of the Opposition said and come out there and dig the hole with you. But you don't want to do that and you are disenfranchising me from doing my job.

Now, I did a little table, Mr. Speaker, to just try and understand. So, I said, *okay then, maybe it is something that I don't realise that it would cause them to want to do this count on a National level.* And, I tried to hear it from the Premier but up to now he hasn't said it. So, I did my own tally and here is a list of some simple pros and cons to the two different styles of results.

NATIONAL RESULTS	
Pro	Cons
1. Results	1. MLA disenfranchisement 2. Voters will not have a better breakdown of the results 3. More change or interference by moving the ballot from one location to the other 4. A Long time for results to come in because you have to move them from jurisdiction to another; rather than just counting them in the polling station they're in already. (Now, in other jurisdictions in other countries, that's where the mix up of the polls go, that's when the boxes go missing or ballots added; you hear four boxes left and five boxes end up there) Why would we even want to jeopardise that process by adding another level of fear of something going wrong?
DISTRICT RESULTS	
Pros	Cons
1. MLA “not” disenfranchised and will know how to act best, on behalf of their people 2. Results will still come in 3. Less change of interference 4. Quicker results because ballots will not	NONE

have to move from one location to another	
5. Voters will have a better breakdown of the results	

There is nothing stopping them from doing the count at a district level. So, if there are no cons, why is this Government not willing to change that process? So, I said to myself; *well, maybe it be too technical because we have gone this far now and the changes, notes et cetera*. So, I called the Supervisor of Election last night after the debate and I said, *Mr. Wesley, would it be a difficult thing to change this section of the Bill?* He said, *No, Mr. Bryan, all they have to do is say it*. All you have to do is to say the word and they can do it because it is the same process but we don't want the country to know how the vote went. Do you know why? Because you want to be adamant that it goes through regardless.

You do not want the opportunity... each one of you Members need to vote on this yourself you know? On this specific part of the Bill because I am going to be bringing it up. Each one of you don't want the information on how to represent your own people. That's what you're saying and every Member in this community will be watching this House and they are going to say, *but hold on Minister/Councillor/Deputy Speaker, do you mean to tell me now that you didn't want to know how I felt?* That's what they are going to be saying because I know every Member on the Opposition wants that part to be changed and I know the CPR group and the QC who is going to challenge it thinks it needs to be changed.

So, go ahead. I tell you one thing; I am not supporting it with that part in it, simply on the basis of democracy and disenfranchising me.

Now, if you want to have the count with every single other one of them and just leave George Town Central out, allow me to do my job, I need to know what my people want.

Mr. Speaker, let me get to probably the most important part of this debate. Mr. Speaker, may I get the time please?

[Pause]

The Speaker: You have one hour and five minutes left.

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

Hon. V. Arden McLean, Leader of the Opposition: She needs to stay in here more often. She has the right clock.

[Laughter and inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, I want to turn now to one concern that I have, which is the current list that was released by the Elections Office. It has indicated

that over 200 people who have registered will miss the deadline, according to the Elections Law, to be on the final list in the referendum.

Now, we have debated a little about that time thing and some people feel uncomfortable about that and I understand where they are coming from. But, the Government's argument that there is a process and that there are checks and balances, is kind of hard to argue. It is hard to argue even though I know that they can make the necessary changes, but it is the law. Here is where the other problem comes in: What about the 45 deceased people who are on the list? When speaking to the Cayman Compass, there was a question posed to the Premier, which was: "What if more votes are "no" but the bar (50%+1 of registered voter) is not reached?" [UNVERIFIED QUOTE] The Premier replied saying: "We will proceed with the project because essentially people not turning out to vote is a clear indication that they are not opposed to the project." [UNVERIFIED QUOTE] Now, I want the Premier to tell me how 45 deceased people are going to get out of their graves to come down to the polling station to vote!

Now, we have the Attorney General who is here and his job is to advise this Government but I want to know how they are going to get out of that. Because the Premier is saying that anyone who is on the list and doesn't show up will be counted as a Yes. How can we count a person who is no longer with us and is with their Maker to be a Yes?

Mr. Speaker, forgive me, I keep going different directions and I have to remember to look towards you.

Mr. Speaker, let me explain something. An election process is a process of democracy. Now, "**Democracy is a system of government by the whole population or all the eligible members of the State, typically through elected representatives.**"

Now, Mr. Speaker, I respect those who passed on and I thank them for their contribution to the country and I sympathise with the families who are probably still missing them, but I don't think, Mr. Speaker that it is right to define them as "eligible member of the State". Ultimately, that is what the Premier is saying, that 45 people who have passed on the see their Maker are going to vote Yes in the referendum. So, how are we going to fix that? Because the bar is set at 50 per cent plus one of the registered persons on the list and they are on the list as deceased persons.

Now, here is the interesting part; that is going to be difficult for them to get over, Mr. Speaker. I suspect that they are going to find something to do that and I would rightfully accept that; that's what has to be done. But, if they can find the necessary changes to take 45 people off, they can find the necessary changes to add 220 Caymanians who want to participate in this Referendum! So, if you can make the changes to take them off, you can make the change to add them on. So, you are either going to put them on or you are going to have an unfair election that could potentially be challenged because we don't have a Referendum Law and

that is going back to my point that I had before. Why it is serious is because of situations like this.

If we had a Referendum Law that recognised the peculiarity of a 50 per cent plus one of all registered voters, we would have provisions in that Referendum Law to deal with that peculiar situation because we would have thought about it but we don't have a Referendum Law, Mr. Speaker. So how are we going to rectify that? And, if they come up with the laws, ways or process to do so based on some other jurisdiction's way, why can't they find the same willingness, heart and drive to put those 220 people on? No, they don't want to do that, Mr. Speaker. Do you know why they don't want to do that? They don't want to that because they don't want the people of this country to be involved in the democracy. That's what this is about, Mr. Speaker. They believe that that generation of people, the millennials and generation Z are too concerned about the environment.

Let me tell you what one study showed and I wish the Minister for Tourism would pay attention to this. It is an interesting study, Mr. Speaker. It was actually at a forum here that I saw it but I can't remember if it was the Chamber of Commerce Economic Forum. They spoke about the behaviour millennials and generation Z.

Now, Mr. Speaker, just for clarity the Millennials are persons who are born from 1980 to 1994. Generation Z are persons born in 1995 to 2015 and we have some of them in the gallery today, Mr. Speaker. The study shows that those persons' spending habits are driven differently than Generation X and Baby Boomers—Generation X was born from 1965 to 1979. Baby Boomers, which are most of us in this honourable—no, I am not in that.

Baby Boomers are persons like you Mr. Speaker, the honourable Member for Savannah, the Attorney General. Baby Boomers are born from 1964 to 1994; the relevance of that Mr. Speaker is spending behaviour patterns, because that is what this port is all about. This port is about money, about the economy.

Well, let me tell you something, Mr. Speaker, the spending habits of these persons are these: they are more environmentally conscious; they spend their money on products that promote protection of the environment. As a matter of fact, they shun any products or services that are harmful to the environment.

You know what that means, Mr. Speaker? It means that that generation, when they become in that bracket of having strong disposable income, when they get to 25 to 35, when they actually [think], *Okay, I am going on a cruise because I have had this job for a couple of years, I am going to treat myself*; when they start to think about places to go, do you know where they are going to go? To unique places that protect their environment.

The Speaker: Honourable Member, we have reached the hour of interruption. I will call on the Minister to

move the suspension of Standing Order 10(2) to allow us to continue beyond the hour of 4:30pm.

The Honourable Deputy Premier.

Suspension of Standing Order 10(2)

Hon. Moses I. Kirkconnell, Minister for Tourism, Deputy Premier: 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 past the hour of interruption.

The Speaker: The question is that Standing Order 10(2) be suspended in order for the business of this honourable House to continue after the hour of 4:30pm.

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 for George Town Central.

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

I was talking about the spending habits of the latter two generations of human beings and a study that showed that these Millennials and Generation X, their spending habits are based on certain principles; principles based on equality, protection of the environment and fairness. This is what drives them, Mr. Speaker.

So, when we decide to damage our environment, create this sardine-type of approach to our tourism that is not going to be attractive to them. They want natural things. They want to consume drinks through a straw made of paper that is disposable or without a straw, period.

[Inaudible interjection and laughter]

Mr. Kenneth V. Bryan: Mr. Speaker, I was hoping to hear some data from the Minister of Tourism thinking about the next generation of spenders and how they feel, because the Minister was at the same conference. Have they considered the environmental damages?

Another thing, Mr. Speaker: the negative stories that have gone across the world. We are in BBC, in CNN, all the media houses about the Cayman Islands damaging our little ecosystem that we have. Have they thought about what damage that is going to do to our tourism product? Have they thought about the fact that the Generation Z and Millennials are listening? Do you see, Mr. Speaker, many of the Members are making this decision today will be well gone, well retired and will be alright but when we become the Florida type and many of the new spenders go, *'I don't like that. I*

want to go somewhere exotic and unique' like the United Democratic Party said in their Manifesto talking about unique, eco-friendly environments.

When they start to go to that, will Cayman be that? No. Not when you add more and more people to Stingray City. Caymanians do not go there unless it is a Sunday and God forbid, Mr. Speaker, you cannot even go there on a Sunday now. Talk about sustainability.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, let me move on to the other, probably most important, concern with the government's proposed project, the cargo element.

In the Government's current plans, they say that they would be getting an upgrade to the cargo portion of the dock facilities somewhere in the region of CI\$ 20 million—I stand to be corrected. Mr. Minister?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Okay, Mr. Speaker, about \$20 million for the upgrade element. The current plans that they have and the operations that we have presently is cruise during the day and cargo at night; but in the same vein of this project development, they are also talking about the revitalisation of George Town.

I have heard talks on the radio and among some Members about the rezoning of the capital to allow living quarters and businesses to operate in those same buildings on the bottom, and then you have apartments on top, quite like what we have in New York City and the like. Really?! I like that.

I have heard about incentives to encourage restaurant-style port and cafeterias at night; sounds very dazzling. I love it! Now you tell me how you are going to do that when you hear the trucks going [*vroom, vroom, vroom*] all night long straight through town.

[Inaudible interjection]

Mr. Kenneth V. Bryan: How are you going to have living quarters sleeping at night and you hear [*vroom, vroom, vroom*] all night long? How is that going to work?

An Hon. Member: How are you going to read that?

Mr. Kenneth V. Bryan: Mr. Speaker, I fail to understand exactly how they plan to make this work. One of the main distractions for night business operators today is the fact that the district has turned into an industrial environment once the sun goes down.

It is part of the Port Authority's work schedule and I do not blame them for it; they are just doing their job. Once it becomes dark, the heavy equipment comes to life from the cargo operation to the trucks going back and forth all night long from the centre of the

capital. The sight and sounds of this necessary process for imports is the main cause of the death of the night life in George Town; and Mr. Speaker, I was reliably informed just last night, that around the schedule for port operations to night time was around 2001/2002 give or take. Now, for those who are old enough to know, that is right around the time that you slowly saw the decline of George Town Central's night life.

There used to be cafeterias and lots of port restaurants because there was no noise at night; it was a dead calm port with beautiful glass water. The ambience was there. As soon as they went over the cargo at night, each one of those businesses slowly declined and I am going to give you an example.

Mr. Speaker, I had the opportunity to speak to a Caymanian business owner who owned and operated a business downtown primarily at night and he recalled the slow demise of his business in George Town Harbour when the policy decision was made to move cargo operations from daytime to night-time.

He was serving amazing cuisine in the Cayman Islands to residents and visitors alike who would come to the city capital; but having to sit down to the loud sounds of trucks passing by while they enjoyed their meal—which could potentially be in the hundreds of dollars for the food bill—slowly but surely patrons decided that was not the environment they wanted to be in. He was forced to close the business, a business that provided opportunities for Caymanians to work in.

So, again, I ask the question: if this Government truly wants to revitalise George Town Central how are they going to do it, unless unna planning to just put some trees out there. That is all unna planning to do? How do you expect to get the night life back to where it once was?

Now let me go to the Premier's speech and a few things he said about the cargo because I am worried. I am really, really, really concerned about this cargo thing.

I got three quotes. According to the Premier, this Government has not even thought about it. I apologise, Mr. Speaker. Mr. Speaker, if we accomplish the rezoning of the capital to allow living quarters, we would still have the same problem. Imagine sleeping on the second or third floor of a building to hear trucks pass by your window all night long.

The cargo operations have to move from the capital. The Government accepts that, you know? They know it cannot stay there. We have the Legislative Assembly literally 200 feet away, the Court House 200 feet away, the National Post Office 200 feet away, the Government building 500 feet away. This is our city capital and we are talking about expansion to 100,000 people?

Mr. Speaker, the cargo operations have to move from our capital. What happens when the population increases and our cargo facilities have to run 24 hour a day to accommodate the importation of food and

goods for our people? How do we have cruise and cargo working together at the same time? We cannot.

It is inevitable the cargo has to be moved; we should have been thinking about this and moving it years ago but, according to the Premier, this Government has not even thought about it. Allow me to read *verbatim* record of the Premier on a local radio show called *'For the Record'* that aired on the 14th October.

The Premier's answer was in response to a host about the Government's plans on the port and cargo operations in the Breakers area of the Island and I quote:

"Yes, this is another one of Johan Moxam's bites of misinformation. I heard it myself across the show last week and Woody repeated it as well. This Government certainly, of which I have been at the helm for the past six years, never even discussed moving the cargo port from George Town."

Another quote: *"The reason for that is quite simple: you think if we have a fight to enhance it there, can you imagine us trying to put the cargo in North Sound or South Sound or Frank Sound, whichever some of these things that I have heard being discussed?"*

Another quote: *"I know, I have heard it from other people around and I have seen some plans who have talked about putting a cargo in the Sound, there where Breakers that would be breach of the reef and come across the road and lean into the lakes created by the result of the quarries. I have seen those documents, I have heard those discussions about that. But none of that is this Government's initiative nor does the Government endorse that."*

"As I said, it is a big enough challenge for us to get through the enhancement of the cargo port and building the cruise port in the area that has been recognised as the natural harbour for Cayman for as long as we have been settled in George Town."

And the last line: *"So we are certainly not about to try to put it somewhere else."* That is a problem for me as the representative for George Town Central because if you have no intentions of moving the cargo, knowing what cargo facilities offer in respect of the type of equipment—we are going to get into those comments shortly, because he gives a good description as to what to expect.

You do not plan to move it; you are not thinking about the future, you know that we are eventually going to grow. I expected him to actually say, *"You know something? Yes, the Government is thinking about moving it; we have not been in agreements with anybody but we know it has to move."* He went as far as to say, *"we nah moving it at all"*. So, what is George Town going to look like 10, 20 years from now? Is this the Administration that plans to lead the future of this country? Where the capital is at, they want to increase the cargo facility.

No vision! But yet, *"Oh, this is the plan of the future,"*—where is the vision in that?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, you heard the words from the Premier himself. "We", meaning the Government, has no intentions of moving the cargo operations of this country somewhere else. And to make matters worse, Mr. Speaker, may I recall the government's intending to use the same port as a trans-shipment point?

Mr. Speaker, I refer to the report October 27th, 2017: *"Sustainability, Empathy and Prosperity,"* on page 19 of 2017 in this honourable House, the Premier said, *"An enlarged modern cargo facility is key to our ongoing economic development and will give us the ability to accept larger ships, reducing shipping costs and consequently reducing of goods bought locally."* Now, you heard the honourable Member for North Side dispute that concept; it isn't happening, stop selling this tid-bit words to make people buy into your idea about *"it is going to bring down the cost of duties"*. You heard him dispute it.

The Port Authority has also received considerable interest from the shipping companies that do not only want to bring their larger ships here, but have indicated that Grand Cayman could serve as a trans-shipment port for Central America perishable cargo.

Mr. Speaker, you and I have gone on a few trips as part of our duties to this honourable House and we have seen some ports and that many people who are listening today have seen some cargo shipment ports and what they look like. What kind of equipment is on it. So, Mr. Speaker, I ask again, of the Premier and this administration, which revitalisation are you truly committed to for George Town Central, when your intention is to create an industrial-type [set-up] out there, and he said so himself.

Let me get me back to what he said just yesterday morning. That was in 2017; so, he is maintaining his attitude—we know that. This Administration is maintaining that. On page 21 of his speech yesterday morning, the Premier said, *"The last economic benefit I want to highlight concerns the enhancement of the cargo facilities. We have to accept that our current port is too small, too cramped [and] too inefficient."* So, he recognises that we have to expand. Expanding is expanding, right? "It barely meets the needs of our country now and if Cayman continues to prosper and grow as this Government certainly "intends" it should, we need better cargo handling facility." So, he is aware of growth. He is well aware of growth. He continues to say "The addition of a third small berth for smaller ships and barges hauling the likes of aggregate and cement will be a significant improvement which allows operations of other vessels that cannot be done at this time [...]."

What other vessels is he talking about—these big, industrial-type ships? Is that what he wants to bring downtown as a cargo?

[Inaudible interjection]

Mr. Kenneth V. Bryan: That's a part of this revitalisation of George Town Central?

"[...] moving that berth out of the way of container operations allow a simultaneous operations of container vessels and bulk cargo. The improvements will mean that port can use new specialised cargo cranes rather than inefficient converted construction cranes that we use now." [UNVERIFIED QUOTE]

What kind of specialist cranes is he talking about? Let me ask something, Mr. Speaker. We have one special crane right now and it is down in Industrial Park and is probably about 400 feet in the air; tall. Imagine that out there. Now, you tell me, which restaurant is going to go out there and look at some cranes operating at night time. Where is your vision? Where is your plan for the revitalisation of George Town Central when it is the natural harbour?

Mr. Speaker, the CDP's Manifesto talked about high-end persons. Which high-end person is going to go and look at a cargo?

[Inaudible interjection]

Mr. Kenneth V. Bryan: I hear my colleague suggesting that maybe they might put some Christmas lights on the cranes to make it look good.

Mr. Speaker, all I am trying to do here is to highlight that the pieces do not match with the plan.

Now, this is actually more about cruise tourism and by highlighting the concerns of cargo also proves that there is a real concern of other people saying, '*Listen, I may support the cruise port but I don't support your cargo.*' That's where that concept comes from because nobody wants cargo in the central part of our district. And then you tell the people who you don't even think about moving it! So, what is your plan for the future? But, you are going to campaign in 2021 and say, "We are the best Government, vote us in again" with no vision for the future!

Mr. Speaker, I love George Town Central. I was born in George Town, my father is a McField, my mother is from Cayman Brac and is a Bryan; and I remember going right out there in the harbour and jumping off out there. Please do not turn one of Cayman's best natural harbours into an industrial site. Convince me that you have a plan for George Town. Convince me that you are not just going to allow everything to move to Camana Bay, because that's what's happening!

[Pause]

Mr. Kenneth V. Bryan: Mr. Speaker, I will now turn my attention to some of the environmental concerns. However, before I do that, I want to highlight that my good colleague for North Side assisted me with some information. When they talk about these megaships coming

with these sardines can type of stuffing, in one big 'ole ship and bring them down here and they don't spend any money and go back on the ship empty handed.

Mr. Speaker, from a printed version of the Seatrade cruise and if you need to have a look at it, it has a schedule of all the ships that are currently being built from 2018 to 2027. Would you like a copy of it Mr. Speaker or would you allow me to just refer to it?

The Speaker: If you are going to read, I need a copy.

Mr. Kenneth V. Bryan: I am not going to read, I will just refer to my notes that I wrote down.

The Speaker: Are you going to quote figures from it?

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

The Speaker: Okay, if you are going to do that, I will need a copy.

Mr. Kenneth V. Bryan: It's my only copy, Mr. Speaker, so I ask please to have it back.

The Speaker: If you are going to quote from it, we are going to get a copy of it; do you want it laid on the Table?

Mr. Kenneth V. Bryan: I will come back to it then, if you would like.

The Speaker: We are going to get a copy.

Mr. Kenneth V. Bryan: Mr. Speaker, allow me to go into some of the concerns about the Seven Mile Beach.

I am happy that most of my colleagues have already summarised most of the concerns there but I wrote down some of the key words that came to mind when I think about this debate and the port and they will come up shortly. The words are trust, gamble, transparency, honesty, fairness, choice, attitude, risk—first thing that comes to my mind when I think about all the elements of this discussion and I will show you how they are relevant.

Mr. Speaker, I think it is safe to say the biggest concern of all the last few years in talking about this Port is the effect on the Seven Mile Beach. This is a concern for me also, naturally. This is one of the biggest issues for most of us MLAs and the general public and we all rely on specialists to determine whether this concern is legitimate or not, but Mr. Speaker, the Government has requested such studies to be completed—which is necessary and I agree with that—we have all heard about the BAIRD and Associates Report.

Mr. Speaker, if you were to take the 2005 report as the sole deciding factor on the effects on the Seven Mile Beach, you may be comforted that there are no negative effects at all. In the report on page 20, in the last paragraph under Project Impacts 8.1, it says

“the project will not result in any significant impact on Seven Mile Beach—

The Speaker: Honourable Member, what are you reading from?

Mr. Kenneth V. Bryan: Forgive me, Mr. Speaker.

The Speaker: What you sent me was the sea trade cruise, which begins in 2018 and goes down to 2027.

Mr. Kenneth V. Bryan: Forgive me, Mr. Speaker. Give me one second, sir.

Mr. Speaker, I apologise. I thought this had already been Tabled in this honourable House. It is the BAIRD report from September 2015; the Non-technical Summary Proposed Cruise Berthing Facility – Grand Cayman. I apologise, Mr. Speaker, I thought this honourable House had already had discussions and therefore I did not think I had to lay it in the House but I am happy to provide you with a copy of it now.

[Inaudible interjections]

Mr. Kenneth V. Bryan: The BAIRD Report - Proposed Cruise Berthing Facility Grand Cayman, Non-technical Summary, September 15th, 2015.

[Inaudible interjections]

Mr. Kenneth V. Bryan: But, Mr. Speaker, I am only referring to it, I do not have to—

[Inaudible interjections]

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

[Laughter]

Mr. Kenneth V. Bryan: Mr. Speaker, I will hand it to the—

[Inaudible interjections]

Mr. Kenneth V. Bryan: I agree, Mr. Speaker.

Mr. Speaker, I do apologise and I have handed the report.

The Speaker: You need to say what page because right now I have 10 reports with letters and speeches. So, I really need to know at least the page which you are speaking from.

[Inaudible interjections]

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

I hope that little exchange did not take away from my time, Mr. Speaker; I hope that you do have the report in your hand right now. In the interest of time I am going to go ahead and refer to it because I handed

you the report. The page is number 20 and it is highlighted in your hand, sir.

On page 20, in the last paragraph, under project impact 8.1, it says: “The project will not result in any significant impact on Seven Mile Beach, as no significant sediment transfer occurs between George Town Harbour and Seven Mile Beach. This conclusion is based on the analysis of historical beach survey data and numerical modelling of the coastal processes and is consistent with the results of an early study undertaken by DOE Seymour 2000.” Now, Mr. Speaker, that is just that one document I referred to and I am going to move on.

So that is one report offering comfort to the concern of negative effects on Seven Mile Beach but I have to be mindful that that report is paid for by a very biased party, that being the Government, who wants a favourable result—I am not suggesting that it is—but who wants a favourable result in the report to justify what they want to move forward with in respect of this project.

Now, Mr. Speaker, I am not suggesting that the narratives of this report were influenced to suggest that nothing would happen to Seven Mile Beach nor am I suggesting that this Government offered any influence either but influence like this has happened before in many jurisdictions across the world, so I will take that report with a pinch of salt.

To compound my reservations of the BAIRD report comes another report, from a respected specialist in the field and ocean behaviour claiming the total opposite of what the BAIRD report says. In September of this year (2019), the Central Caribbean Marine Institute released a statement saying—and Mr. Speaker I will provide you with the statement.

This is a copy of the Central Caribbean Marine Institute’s press release. It says, **“We recognise that there are many complex processes contributing to the Seven Mile Beach’s sand budget, but what is proposed will undoubtedly affect Cayman’s most famous beach.**

“Positive results from coral regeneration and relocation practices also continue to be challenging with corals across the Caribbean region typically suffering 80 per cent mortality within two years of relocation. Little hope for replenishing the sand on Seven Mile Beach in the long-term exists, due to the limited proven success of coral relocation as a mitigation strategy. The proposed dock construction will disrupt the entire eco system by removing the coral and the sand.” CCMI is concerned about the detrimental impact to Seven Mile Beach and the coral reef ecosystem in George Town area, and urges all stake holders to really take stock, whilst we still have time.”

Mr. Speaker, remember I said to you there were some words that came to my mind? Choice, risk, trust; what is happening now is I have to go by the words of this Government who has been behaving in a

particular way that causes me not to trust them because I have two companies that are recognised and respected in the Cayman Islands. Remember I said before, we are not specialists in this field so we have to trust the specialists. Well, we have two so what do I do, as a voter? One saying it is going to affect it, the other saying no. And this is what gets into the whole talk about approach and attitude because the way the Government has been behaving with the people, so reluctant to give answers, always downgrading them as *how dare you ask me any questions*, makes us worry! Then you say, *here is a report, I want you to believe this*. With the potential chance of influence based on reports, you want us to take that and your approach is one that we do not even trust? Come on.

Mr. Speaker, the Government has made this decision harder for the people than it needs to be. What do I do, as a representative with those two conflicting reports? Do I take the risk of losing the entire Seven Mile Beach regardless of how small the risk is? If it is .000001 per cent, do we take that risk? Is this Government, and again a keyword, going to “gamble” with that risk? Who am I supposed to trust? Which institution or specialist am I supposed to trust? Which specialist are the people of George Town Central supposed to trust?

I will tell you what, Mr. Speaker, the way this Government has handled the public and their requests for information, does not make me want to trust you; and that is why the people are questioning now. And that is exactly why today we are arguing a Bill about a Referendum; because it all started first with a few citizens going, “But hold on, let me ask a little question about that.” And then it was, “We will get you the information when it comes.” The more they asked questions, the more the concerns came up. The more concerns came up, the more they decided, “You know, let us do our own research and check this out ourselves.” And as they checked it out, conflicting information came out.

Then when they challenged the Government to say, “But that is not right,” the Government pushed back even harder and then called them muppets. So, they said, “You know what, I am a Caymanian and this is democracy. I am no muppet!” and started a People’s Initiated Referendum process. That is why we are here. If you had respected the people and took time and respected the fact that they are the ones who put you in this House, we probably would not be here now.

Mr. Speaker, the other concern—and I am going to start to wrap up now—was the wave action because we all know, we all have seen the videos of how it looks out there when a Nor’Wester hits and an iconic church is right out there, next to the port, the one that many of the George Town Central people have been going to all their lives.

So, I met with the Minister of Tourism and said, “Can you please—I really do not want to argue, I do not want to fight you. Tell me about the wave action. I am worried; if you are going to dredge are the waves going

to get bigger? I am not a scientist; I do not know anything about that. Tell me.” He said don’t worry, I will get you a report; up to this day, and he can speak for himself, up to this day I have not gotten the report from him, I had to go search for it myself—but I found it.

The BAIRD report referred to some of the concerns about the flooding risk and said something similar—*don’t worry, nothing will happen, they will build walls to make sure the waves do not affect the area*, but again, I have the same problem do I trust them? Do I trust them?

I am worried about wave actions on the businesses out there on the waterfront. If a hurricane comes, will this dredging create greater waves to come wash my people away who live down Shedden Road; that is concern that they have brought to my attention. And they asked the Minister and the Minister did not even have the decency to give me the report; I had to go find it myself and I found it—but now I do not trust it.

Point of Order

Mr. Moses I. Kirkconnell, Minister of Tourism: Mr. Speaker, on a point of order.

The Speaker: The Honourable Deputy Premier.

Mr. Moses I. Kirkconnell: The Member has made all kinds of accusations over there about what he asked me for, why I did not deliver.

Mr. Speaker, I truthfully do not remember him asking me for anything.

Mr. Kenneth V. Bryan: Mr. Speaker, I apologise and I wish the Member good health and good memory, but it is not my fault that he did not remember. I did ask.

Mr. Speaker, maybe he will remember this: did he remember publicly saying that his Government would have a meeting with the people of George Town Central about this port. Bet you he does not remember that either, but the media does and if he would like to refute it Mr. Speaker, I would be happy to show the media reports about it but that is okay, that is not the point. The point is that I do not trust the report and it is boiling down to the trust issue.

Mr. Speaker, I am wrapping up. I know that cruise tourism is important; our forefathers worked so hard—they were turtling, they were seafarers—to build our little Island, get the infrastructure going and then people started to come see our little beautiful Island. That was the main foundation before financial services, before our national heroes came and built our financial services.

So, tourism is important, it is very important and we have to make sure that we can maintain it but what we have yet to clarify and I say again, according to my manifesto and what I got elected on, is making sure it is quality over quantity. They talk about how many jobs would be lost; maybe if they were not giving

so many work permits away, you would not be worried because if they stopped giving out so many work permits, even if those jobs are gone we would still have jobs left because there are only 30,000 of us.

Mr. Speaker, I challenge this Government: you say you have a plan for cruise and cargo for this country; that is your democratic right. You admit that there is a constitutional provision enacted the People's Initiated Referendum. If you say you are not fearful of the CPR or anybody else about losing this vote, I challenge you to prove it. Here is the challenge: you publicly say everybody get out and vote, including those who support so we can clean up this little problem about the stay-home vote.

I challenge you to do that. I challenge you, to address this topic of 45 deceased people being on the list. I challenge you not to be afraid to allow the vote to be done by electoral district, unless you are afraid that one of your Members is not going to support you because their constituency does not support the port. But no, let's see, the country is watching and listening. Let's see if you accept the challenge. Let's see what your motivation really is, in respect of this port. Because if you think that the people are not listening, you can think again.

Just like how the Progressives' plan was to use One Man One Vote to outdo the then Government and Premier of that day, trust me the people's behaviour has not changed much. So, go ahead; go ahead with this approach and think that you can just undermine what the people's views are and you are not going to pay for it. Same thing is going to happen. Don't listen, it is not on me; I try my endeavour best to listen to them every possible way and you are disenfranchising me for even finding out what they want me to do. That is our constitutional obligation but you even want to hide that by mixing the votes together.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, I want to say the Government has the right to promote what they believe in because the simple fact is, whether we like it or not, they have been elected the democratic way.

Some of us may not like who is elected, some of us may not like who is the Government so I am not going to fight you down for promoting your government, but be fair about it. Come on! How can you sit and accuse the now Speaker, former Premier, about his behaviour of influence but yet almost duplicating what they say he did?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Well, well, if you are right by saying it was the right thing to do, that means they were hypocrites then.

Mr. Speaker, I came into politics because I am a fighter by nature, my mother raised me that way. My mother's

way is hard and she taught me to fight and that is what the people sent me here to do but boy, I tell you some morals. You got some problems with morals in here. Just give the people a fair chance; that is simple, you know? If the people want it, they are going to tell you. Why are you trying to cheat them out of everything?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Don't you think people are smart enough to know what is in their best interests? They are listening and if they want this port, they are going to tell you. Stop doing the tricks!

Mr. Speaker, I really thank you for the opportunity to be a part of this honourable House. I did not go through financial elements of it because my good colleague will address those in short order but, Mr. Speaker again, I challenge this Government. If you are bold, if you believe your plan is that good, allow the necessary changes to stop the mixing of the votes. Have a talk with the CPR Group because not all of them are muppets, I hear them calling out same names and I think—as much as they want to call their names out—those same two persons who you all talk about work harder than many of the politicians in this House to get this far.

The Speaker: Honourable Member, you have traversed that ground quite a bit.

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

The Speaker: Plenty. I think you should utilise your time differently because that is much repetition now on that point.

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

Again, I can only go by what my manifesto tells me because I have to assume that this is what the people elected me on. This is what I released and that is to build our tourism model based on quality, not quantity; focus on being environmentally conscious and be very unique and I do not think the approach that we are taking, is a very unique one.

I am not convinced and I say this, in closing Mr. Speaker, every person who is a resident of this country will have to be mindful about our cargo operations. This Administration knows that it has to move. It has to move and we better start thinking about it now.

You hear the Government say, "*We better build the port now when we have opportunity, it will cost us more in the future*", you heard that discussion many, many times about different projects. We have to start thinking about cargo moving elsewhere. That is the only way we are going to bring life back to George Town; particularly for the Members who were elected in the electoral district of George Town—you are supposed to be mindful of that concept too.

So, I encourage this Government please, think long-term. And Mr. Speaker, please, I beg them, in order for me to support this Bill, I would like the mixing of the votes changed. It is disenfranchising me from being able to represent my people and I will give my word as my bond here today: if you allow the results to come by district, if the people of George Town Central say they want it by majority, I will stand publicly anywhere and support you. That is democracy.

Mr. Speaker, thank you for the opportunity and I want to say thanks to the other Members of this House who debated already. It is an honour to have dialogue and debate. And I say, though we may disagree, that does not mean I dislike you, but my job is to stand strong on behalf of my people; but Mr. Speaker, I realise that we did not address one issue because we got tied up and it would be wrong for me not to address it considering my good colleague for North Side assisted me with the information.

I showed you a chart from Seatrade Cruise and it shows the ships to be built from 2018 to 2027—a massive company responsible for building these ships. Now, overall, there are going to be 104 ships to be built over that period of time. Six over 200,000 tons, that is the megaships (Oasis) class. Eight over 180,000 tons, that is the Freedom Class, those are the ones that are currently being tendered and 90 smaller ships. I want you to also recognise [the] companies that come to Cayman and what they have requested on their behalf through this period of 2018 to 2027.

By company: Royal Caribbean has asked for three megaships. Now, Royal Caribbean goes all over the world, so let us just say one of them is coming to Cayman for the purposes of the Government's argument. They have also ordered one small ship.

Carnival Cruises, have ordered zero megaships, but five small ones. The Norwegian Cruise Line ordered zero mega-ships but six small ones. I know Royal Caribbean is the preferred bidder, are we building this dock only for them, in the event that they actually send one of their ships? Are we building the dock only for them?

[Inaudible interjection]

Mr. Kenneth V. Bryan: Come on. The people are going to put the facts together and find the information themselves.

Mr. Speaker, hopefully the contribution that I offered here today will shed a little bit of light to the bigger picture, but also shed a little bit on my duties on behalf of the people of George Town Central, and I ask this Government: do not disenfranchise me, as a representative of the people of George Town Central. I want to know what my people feel so I can stand firm on their word because that is how I represent. I do not know how you all represent, but that is how I represent.

So, I beg, please, let us change the mixing of the votes; the Supervisor of Elections says all you have

to do is say the word, his team is in place and ready to move; and there is only one conclusion the people will come to if you do not change that and that is because you want to disenfranchise this House.

Mr. Speaker, thank you so much for my opportunity and that is my contribution.

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

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

I rise to make my contribution on the Bill that is currently before this honourable Legislative Assembly. However, Mr. Speaker, before I get into my debate I think it would be remiss of me to not recognise the historical importance of this day.

Mr. Speaker, you yourself being a student and dare I say, a shaper of history, can now include in your memoirs that you were alive to see the very first People's Initiated Referendum here in the Cayman Islands. I think that it is also important that we, the Members of this honourable House, regardless of where we stand on this issue, recognise the importance of this milestone in the development of our democracy.

Our own Caymanians came together, brought many others together and by their efforts brought this Legislative Assembly gathered here today to deal with a matter of national importance. Mr. Speaker, there are still many countries around the world where this is not possible. Where changes in the country do not come from the ballot, but rather by the bullet and it is important that we recognise that we live in a country, where the citizens can disagree with their Government. This is something, Mr. Speaker, that we should never, ever, take for granted.

Mr. Speaker, democracy itself is a system that recognises that there will be differences, disagreements, divisions, discord and dissent in any society; but what democracy also encourages, Mr. Speaker, is that we discuss, we debate those differences and issues and come to some level of consensus. That is what democracy is about.

Mr. Speaker, I am sure you yourself would know because I think I borrowed this book from you. The word democracy itself comes from the Greek word for *Demos* meaning people and *Kratos*, meaning power or rule.

In essence, Mr. Speaker, democracy is about the people's power and I think it is fair to say that the fact that we are gathered here today to discuss this Bill as a result of the efforts outside, has confirmed the old saying that the power in the people is greater than the people in power and this is why we are here today. And, Mr. Speaker, because 5,862 of our citizens signed the petition, of which 5,305 were verified by the Elections Officer, I think it is incumbent on us to recognise and

record for the history books in the Hansards of this honourable House the founding members of the CPR Group, those individuals are as follows:

- Mario Rankin;
- Johann Moxam;
- Katrina Jurn;
- Michelle Lockwood; and
- Gabriella Hernandez

Mr. Speaker, regardless of the outcome today, it is safe to say that those five individuals, in their own unique way, have left their fingerprints on our political history that we can now say to our children, grand-children and generations to come, or to borrow from Sir Winston Churchill, *“Never was so much owed by so many to so few.”*

Mr. Speaker, the Bill before this Legislative Assembly is testament that democracy is alive and well in the Cayman Islands. It says to the outside world that the Cayman Islands have mechanisms in place to ensure that the people have their say when they do not like what the Government is doing or the path that the Government is embarking on.

Mr. Speaker, I think it is the right decision, regarding the cruise berthing facility that it is made by the people. It is the people of the Cayman Islands after all, who we are all elected to serve. I understand that there are Members on the other side who simply believe that they should just be trusted to do the right thing. Why? Why should the people trust the Government? When the people went out and collected signatures, did the Government trust them? No. The Government wanted all those signatures verified.

Well, Mr. Speaker, it is the people's turn to verify the ability and the credibility of the Government; it is the ability for us to question our government that makes democracy unique as a form of government/ So, Mr. Speaker, let us take a look at the Government's ability and credibility.

First of all, Mr. Speaker, the Government claims they have a mandate based on their election results. I am sure that everyone in this honourable House will agree that the PPM winning five seats in George Town and two seats in Cayman Brac in the 2017 election is no mandate; seven seats out of a total of 19 seats, is no mandate.

Mr. Speaker, it is the Government's position that this cruise berthing facility project was years ago—

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

The Speaker: The Honourable Premier.

Point of Elucidation

The Premier, Hon. Alden McLaughlin: If I may ask the Member to allow me to make a point of clarification because I think what he just said about the mandate

does not represent what the Government has said or is saying.

The Speaker: He is agreeing for the clarification. Are you agreeing?

Mr. Christopher S. Saunders: Of course; I have to give way to the Honourable Premier. Respect is due to his Office, you know.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, I thank the Member.

Mr. Speaker, the Member's arithmetic is correct as far as the number of Progressive members who were elected—seven. But the Government is not made up of only Progressive members. I was at pains yesterday and perhaps I should have laid your manifesto of both the UDP and CDP success of party on the Table as well to demonstrate that that was the position of yourself and your party and the seats you have brought to the Unity Government.

I should also remind the Member that the other Independent Members on the Government's side with the noted exception of the Member for Prospect who has explained himself and his position very clearly, all campaigned on the basis that a cruise and cargo port was necessary. It is as result of that collective position that the Government is able to say that it has a mandate.

The Speaker: The Member for Bodden Town West.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker, and I thank the Honourable Premier for clarifying that issue. Unfortunately, Mr. Speaker, since this project, as the Premier noted before and the reason why it is not subject to the new Procurement Law was actually started in a previous administration. It then begs the question that the Premier was actually indicating that the mandate to have started this wouldn't have come from the 2017 Elections but rather the 2013 elections because the project was started prior to the 2017 elections as per the procurement rules that were being used. Thus, the reason I was working my way back, Mr. Speaker.

So, I do thank the Premier for clearing it up, but by his own admission in an earlier statement, this project is several years old and it was started previously. So, we are trying to work out where the mandate came from, in that regard.

The Speaker: The Honourable Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, may I then go back to 2013 when the Progressives won nine seats outright? And, a day later, the Minister of Education, the Honourable Juliana O'Connor-Connolly joined, giving us 10 seats. To draw to the attention of the House, and the Member speaking, what the 2013

Manifesto actually said on page 8 [9] and see also page 14:

“The Progressives will move swiftly to get the Cruise Berthing built, thereby providing major economic activity, putting people back to work and boosting the tourist industry.”

So, the Mandate, Mr. Speaker, although in 2013, it didn't mention the cargo port, the mandate for cruise berthing derives from thence.

The Speaker: The Member for Bodden Town West continuing.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker. Also, I thank the Member for East End for clarifying to me that every time the Premier had put it in his Manifesto, at election he got less and less seats. That means the PPM has a general rule, so thank you for clarifying that.

[Inaudible interjection]

Mr. Christopher S. Saunders: Well, in 2017 there were seven seats and in 2013 there were nine seats, but we are working our way down, thank you.

Mr. Speaker, the one time that the PPM did receive a clear mandate—and I remember that well because I was a member of the UDP at the time—was back on 2005, back then it was under the leadership of Kurt Tibbetts. I must say that—I give credit where credit is due—to see a political machine at that time run nine candidates and all nine were successful; I think in any country around the world that in itself is a formidable achievement.

So, Mr. Speaker, the one time I think we can all agree that the first time the PPM had a very clear mandate, undisputed, was in 2005. I am sure the Premier can agree with me on that one.

Mr. Speaker, you may recall the criticism you faced during your first UDP administration, when you developed the Royal Watler Cruise Terminal; and you know, it's kind of weird, I was listening to people giving credit in yesteryears gone by to the Berkeley Bush and the different people who did their development on the port along the way and I realised your name was missed. I would like to also formally recognise your efforts, for what you have done in terms of developing the cruise terminal to what we have today. I think at the end of the day, Mr. Speaker, you used up considerable capital in doing so and it did cost you.

In any case, one of the things I want to look at is the PPM's 2005 Manifesto; I have a copy which is kind of old, but just bear with me. I think this was previously laid on the House. Do you have your copy up there? Can you get the Speaker the copy?

So, one of the things I want to look at is on page 17 of the 2005 manifesto starting under the section “Enhancing Tourism”. Are you there yet, Mr. Speaker—just making sure.

It goes on to say: **“Tourism is the lifeblood of our economy. It is estimated that it contributes anything from 30 to 50 per cent to our GDP and that foreign exchange earnings from tourism could be as much as 70 per cent of the total. But the tourist industry's history of continued growth and prosperity is no longer assured, not just because of international factors such as the aftermath of 9/11 or Hurricane Ivan but to reasons also to do with both the quality and the cost of our tourism product. Bluntly put, the widely held perception is that Cayman is an overly expensive destination and the quality of its tourism product is on the decline. To a large extent we are at the mercy of external factors which impact the industry, but there is certainly much that we can do about the quality of the product we offer and the widely held perception that the Cayman Islands are no longer good value for money.”**

“The PPM is of the view that the Tourism Management Policy, which was developed by The Tourism Company, a consultant company hired by government, is an appropriate and relevant policy document which now requires some revisions post-Hurricane Ivan. The policy speaks to, among other things, improving our product offerings, creating a uniquely Caymanian experience for our visitors, managing cruise tourism and protecting our environment. It is unfortunate that the UDP Government, having adopted the Tourism Management Policy, has failed to adhere to it.”

“It goes on to say, Mr. Speaker, **“The PPM believes that our tourism industry can only be successful if our marketing, advertising and public relations functions are truly integrated. This cannot be achieved in a vacuum by the Department of Tourism. The policies and programmes of Cayman Airways and our private sector partners will be important and necessary components of our national integrated marketing strategy.”**

Page 17 concludes by saying, Mr. Speaker, **“The PPM recognises that our private sector partner own and control the majority of our physical tourism product and as partners they ought to have more input in the development of our tourism policies. The framework must be established to facilitate the integration of our private sector partners into the formulation of our tourism policies.”**

Mr. Speaker, turning to page 18, in particular, I will be reading the different points. I am not going through all of them, but it goes on to say on page 18

“You can trust the PPM to:

- b. Understand that tourism cannot be left to develop unchecked. It needs to be managed in a sustainable way;**
- c. Recognise that the future of the tourism industry, and by extension the Cayman Islands, does not lie in mass tourism.”**

I want you to remember that, Mr. Speaker.

That promise: Recognise that the future industry, and by extension the Cayman, does not lie in mass tourism.

Mr. Speaker, 18D says, **“Transition the Department of Tourism to a Tourism Authority with a Board of Directors comprising public and private sector representatives. This will significantly improve the management of our tourism industry as all of our tourism sub-sectors and stakeholders will be represented in this body.”**

Mr. Speaker, 18g says, **“Create a uniquely Caymanian experience for our visitors and thereby address the perception that our product is too ‘American’ or is ‘just another Caribbean island experience’”**

So right there, Mr. Speaker, what it is basically saying is that they recognise from back then that the Cayman Islands is a unique market; that we are not in the mass tourism business. I just want to emphasise that to say that this is the philosophy it is coming from.

Mr. Speaker, 18H goes on to say, you can trust the PPM to **“Protect, preserve and promote our natural environment, by instituting daily limits on the number of persons who visit places like Stingray City and certain dive sites.”** Again, Mr. Speaker, I think we can all agree that this is the kind of language that you want to make sure does not encourage mass tourism. Again, I just want to highlight that—you will understand why later on.

18J **“More effectively distribute our cruise ship passengers by creating additional product offerings in other districts and thereby significantly reducing the number of cruise passengers that are deposited on the Seven Mile Beach, in the midst of our stay over visitors. This practice has caused untold damage to our reputation and the answer lies in the better distribution of those cruise ship visitors who simply want to go to the beach and do a little shopping.”**

So, Mr. Speaker, you can see thus far there is a mind set and I will tell you straight up that I support what is being said here. I do not want it perceived as if this is not something I could have been supportive of and I kind of also admit Mr. Speaker that, even in 2005, I did mark a quiet X for my colleague here for Savannah because at that point my grandmother insisted that we all give him an X, even though at the time I was still supportive of Roy and Gilbert in Bodden Town.

This is something that we as Caymanian can understand and identify with; that we are a unique destination. We are not into the mass tourism, Cayman is not everyone, we have established that and I think, having a mandate like this—9 seats, 9 candidates, 100 per cent—this is the kind of mandate that the Caymanian people [gave].

The reason I brought up 2005 Mr. Speaker, is that this was the last time any government since—well bear in mind the UDP back in 2009—had a clear mandate and these are the kind of things that we are trying to look at, in terms of what the people actually wanted

and you can directly see where the people’s mind set is because this is last gauge we have of where the public was clear on what it is that they wanted.

On page 19, Mr. Speaker, looking at 19L, it says you can trust the PPM to **“Appreciate the importance of Caymanians interacting with our visitors as part of the visitors’ overall impression of their holiday experience. This means that we will concentrate on getting more Caymanian into the tourist industry, not only because it will provide good and well-paid employment to our people, but because the PPM recognises that our own people are critical to the quality of the tourism product itself.”** And I will explain to you later on why I brought it up, Mr. Speaker.

19O, Mr. Speaker, says, you can trust the PPM to: **“Address the current image associated with the Cayman Islands of over development, traffic and people congestion and at the western end of Grand Cayman which is exacerbated by the mismanagement of cruise tourism by the UDP Government.”**

19R goes on to say, Mr. Speaker, you can trust the PPM to **“Understand that Cayman will never be a low-cost destination, nor should we strive to be. But we must provide good value for money spent. We must therefore improve the quality of our tourism product, excel in performance and service and rid ourselves of the prevailing image of being overpriced.”**

And finally, on page 19, Mr. Speaker, section v, you can trust the PPM to **“Seek to manage overall development and growth, insisting on high standards and resisting development for development’s sake”**; *resisting development for development’s sake*.

The reason I chose to highlight these issues, Mr. Speaker is that old saying “past performance is indicative of future behaviour”. Fourteen years ago this was a mandate that the Premier and some of his other colleagues, who are now in the Opposition, were elected on to deliver to the people of the Cayman Islands; and I think, at the end of the day, we in this House can all agree, regardless of where we stood politically at that time, that these were items that we all could have signed up to and in fairness, I think it was the right approach that we were looking at back then, in terms of tourism.

We are a unique market; we are not a mass tourism market. The thing about is, Mr. Speaker, as my good friend the Leader of the Opposition for East End always says, that Warren Connolly would say, “Cayman is not Everyone” and we have always been able to distinguish ourselves by being a niche market. That is what we have been about; we have never been about catering for the masses because we have our own challenges and limitations within our infrastructure.

The thing about it, Mr. Speaker, is that we all recognise that this referendum itself has now passed the point of just being about the port. This is really about a confidence issue, a performance issue. Do we trust

the Government to do this? And the thing about it is, Mr. Speaker, if you look on the same manifesto on page 13, just to put things in context, there is a section on the far right-hand corner that speaks about addressing traffic congestion and it says (briefly):

13a. You can trust the PPM, to **“Recognise that addressing traffic congestion requires a multi-faceted approach and there are no short answers or quick fixes”**; again, this is fourteen years ago.

13b. You can trust the PPM to **“Understand that building more roads is urgently required but will not provide the necessary relief in the long run. It is impossible to build your way out of congestion.”** Fourteen years ago.

[Inaudible interjection]

Mr. Christopher S. Saunders: I have said it, fourteen years ago. The thing about it, Mr. Speaker, why I am actually raising these issues, is that those were the challenges we had fourteen years ago and we are still having these challenges today. And this is the trust issue that the Government must recognise; when they do say that they want to undertake certain things based on ability and your credibility and your past performance, people have the right to question what is it that you want to undertake.

Mr. Speaker, I just want to say that it is kind of rather ironic that when you go back to the start of democracy itself, which started in Greece, that Socrates himself made the point about candy-shop owners; people in the business of selling sweets being voted in over professions like, say, a doctor. Socrates argued that sweet shop owners can make an argument against a doctor that he gives you bitter syrups, pokes holes in you, cuts your skin and take your blood but he can offer you many sweets and candies—surely no one in their right mind would vote for a doctor.

Mr. Speaker, I am sure that you in nine terms of being elected came across many of those people who deal in sweets. I am sure many of us in this honourable House would also be accused of having a sweet mouth or, as some would say, lyrics; but the irony in all of this is that when we start getting into democracy itself, it is still a system that is based on trust and I think Reagan was the best one who basically says “trust but verify”.

One of the things that I really want to thank the Premier for publicly and on the record—I know we have said it jokingly while we were on break earlier—is the guidance that he offered to me and my colleagues in this side very early on in my term.

Mr. Speaker, as you may recall, back on August 2017, this honourable House dealt with the Strategic Policy Statement, and I will admit, a newly elected freshman legislator, the Government laid out a very bold and ambitious plan and I remember something along the lines where the Premier even said that this

was his last term as Premier, and he was going to be very bold and go all in.

At the end of the day, Mr. Speaker, think it is important for us to recognise, and I will say this much, I and my colleagues, and I hope every Caymanian wish the Government well, and wish the Government does well. No one should ever sit out there and wish for the government to fail or do badly because at the end of the day, this is something that affects us all.

The Premier was also right, in that, when we did get up and agree with him, he said *guys, listen, that’s not your job. If you are going to agree with the Government, come and sit on this side. Your job is to question the Government, keep us in check and make sure that we are doing what we are supposed to be doing.* Mr. Speaker, this in itself is what democracy is about; the checks and balances that go with it. This is why we have the debate on these issues; we find a way to has things out that we never looked at before. This is why regardless of what our position is we must always bear in mind that our role is to really and truly check each other.

I think it was Section 44(3) of the Constitution that says that the Cabinet is responsible to the Legislative Assembly; and every non-Cabinet Member in this Legislative Assembly has the responsibility to make sure that the Government does the right thing.

Mr. Speaker, looking back, I recognise now that maybe, just maybe, at the time when the Premier was telling us that it was not our job to agree with him, I think maybe it was little cry for help to say, *guys, help me to be a better Premier, help me to be a better person and help me to make sure that I keep my Government in check.* The reason I say that Mr. Speaker is because I believe that if we sat down and challenged over the years—not just the Premier, but even you when you were there, and I am sure that you had your own experiences too—and put more pressure on the government at the time, maybe the schools would have been built. Maybe Mount-Trashmore would have been fixed; maybe we wouldn’t have unkillable mosquitoes roaming the streets of Cayman. So, these are the kind of reasons why it is important for us to make sure that we have a robust democracy, we remain respectful and we really and truly have these disagreements.

I can tell you that I have learnt some things during some of the Members on the opposite side contributions. I have learnt stuff. Yesterday I listened to the North Side representative and I learnt things that I didn’t know before. It is those kinds of things that we need to be more mindful of. I think that is why it is incumbent on us to make sure that as political leaders in this country, we never take anything personal.

The people have a right to question their government; this is what we are built on but at the same time, to some extent, we expect key leaders in our society to be respectful towards the office that certain people hold. I can tell you, I have heard some descrip-

tions used to describe even some Government Members and I have had to say to people, *no. no. no, you can't do that*. Mr. Speaker, at the end of the day, regardless of our differences, the job of everyone in this House is to uplift Caymanians and if we have to tear one person down to do our jobs, then we have started on the wrong foot. If you cannot sit back and say something positive, or at least they say, *if you can't help, don't hurt*. This is what it is supposed to be about.

I recognise that there are environmental people with genuine concerns regarding the port. I too still have questions concerning the ability to affect the Seven Mile Beach. I have read one report and I have read the CCMI report and they are both contradicting, so it is kind of difficult. At the same time, Mr. Speaker, one of the things that really gave me pause a few weeks ago was an article in the Jamaica Gleaner. Let me see if I can find a copy for you here.

Just for your edification, the headline in that article was *"JA banks on cruise berth for uptick in cruise passenger arrivals"* and in a nutshell, Mr. Speaker, not to get into reading the article, and that is a problem when you do not have bifocals, is that Jamaica's numbers for the month of June that were reported in that article actually went down—let me read it briefly, for the benefit of the listening public and Members, because you would have a copy and they would not.

It says: *"Jamaica has reported -another contraction in cruise passenger arrivals for June 2019, but there is hope that the country should see increases in arrivals, given plans for the development of a new cruise berthing facility in George Town, Grand Cayman."*

"Cruise passenger arrivals to the country dipped by 27.9 per cent for the month of June to a total of 66,552 passengers. Data from the Jamaica Tourist Board showed that passengers visiting the port of Ocho Rios fell by 20.7 per cent with 25,569 passengers, while -visitors to the port of Montego Bay fell by 42.4 per cent to 17,144 passengers."

The article goes on to say, Mr. Speaker, *"Falmouth also recorded a decline of 20.1 per cent to 23,839 passengers. The contraction in cruise passenger arrivals has impacted sales for the Dolphin Cove attraction, which gets 50 per cent of its cruise ship guests from the Falmouth port."*

"This is primarily due to the Oasis of the Seas class of vessel not being able to have the ship call on Grand Cayman," vice-president of cruise shipping at the Port Authority William Tatham told the Financial Gleaner."

"The ship is so large, they have to clear all the paths to do security screening on the passengers onshore, and because of that, they weren't able to have the ship call on Grand Cayman," he continued."

"Traditional itinerary for cruise routes to the western Caribbean were Haiti, Jamaica, Grand Cayman, Cozumel—Mexico's largest island—and

back to Florida." The article goes on to say, *"Tatham noted that with the highly rated destination that Grand Cayman is, in addition to the fact that more vessels were being built for voyages to the eastern end of the Caribbean, some passengers have opted to visit the four port calls on the eastern side versus the three port calls on the western end of the Caribbean, which includes Jamaica."*

"For the six-month period January to June 2019, Jamaica saw 902,088 cruise passenger arrivals visiting its shores, a decline of 12.4 per cent, or 127,793 cruise passengers. Because the west sail was missing Grand Cayman, we saw a decline in the Oasis class."

"The good news is that Grand Cayman is very optimistic about building a new port berth to accommodate the Oasis, and Royal Caribbean has been very much saying that we will see a complete turnaround, so the numbers for Falmouth will climb right back up," Tatham reasoned."

"Grand Cayman's planned pier and berth are expected to be operational by 2022. Carnival Cruise Line and Royal Caribbean will help fund the project, which will cost about \$200 million."

Now, Mr. Speaker, the part that really got me on this article was that their argument was that Jamaica's numbers were down because the bigger ships were missing Cayman and as a result, it affected Jamaica because they are all part of the Western itinerary, but here is the problem I had with that, Mr. Speaker: when you look at Cayman's result for the month of June that Jamaica was actually looking at, Cayman actually had 104,527 passengers, or just under 38,000 more passengers than Jamaica.

So, the question [concern] was this, Mr. Speaker: If both Cayman and Jamaica are a part of the western itinerary, Jamaica has three ports and five piers, Cayman has one port and no pier, yet we still had 38,000 more passengers than Jamaica that month. The argument doesn't hold water because it means then that the ships were coming here, but they just weren't carrying them to Jamaica.

I could understand if Jamaica had the same number of passengers as Cayman. If that were the case, then you could have said, *okay, maybe there is some argument that can carry water*. However, in this scenario, Mr. Speaker, that argument doesn't carry water for the simple fact that we had more than Jamaica and the cruise lines just did not go to Jamaica. They brought the passengers here instead.

If we were to build the piers as that article insinuated, Mr. Speaker, what guarantees does Jamaica have that we would basically—

The Speaker: Honourable Member, I don't know how much longer you propose to go, but I propose to take the evening break.

Mr. Christopher S. Saunders: I will be going for quite a while, Mr. Speaker.

The Speaker: Quite a while?

Mr. Christopher S. Saunders: Yes, you can take the break now, if you want to.

The Speaker: We shall take the evening break and come back at 7:00 pm.

Honourable Members, I understand that we propose to conclude this Bill tonight. Let's try to get back in on time; 7:00 pm.

The House is suspended.

Proceedings suspended at 6:02 pm.

Proceedings resumed at 6:50 pm

The Speaker: The proceedings are resumed. Please be seated.

The Member for Bodden Town West continuing.

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

[Pause]

Mr. Christopher S. Saunders: Before the break, we were basically looking at what happened in Jamaica with regards to their decline, but yet, despite having three ports and I think all with piers, and all a part of the western itinerary, based on that article in the Jamaican Gleaner, for the month of June Cayman still had 37,975 more passenger than Jamaica.

I should give credit where credit is due, despite our limitations, our tourism product is doing well and I think a part of that success comes from our ability to be unique. As the old people will sometimes say, *if something is working, why trouble it?*

Mr. Speaker, I would like to encourage Members of this House to read a thesis that was done by Matthew Kerswill that was presented to the University of Waterloo to fulfil his requirement for a Master of Arts in Recreational Leisure Studies, Tourism Policy and Planning. That thesis was entitled "**Big Ships, Small Towns: The Impact of New Port Developments in the Cruise Tourism Industry. The case of Falmouth, Jamaica**".

Mr. Speaker, when you sit back and actually read that thesis and you go back to the genesis of the development in Jamaica, you will recognise that that was a classic case of *Heads I win; Tails you lose*. I think that is one of the things that I would encourage the Government to be careful of Greeks bringing gifts, or as the old African proverbs would say, *be careful when a naked man offer you clothes*.

At the end of the day, whether we want to accept it or not, we are in competition, to some extent, with the cruise lines. This is not a situation where we are trying our best to work with them but at the end of the day, we are still fighting for what market people refer to as *the share of wallet*. We want them to spend more money when they come onshore and the cruise lines want them to spend more money when they are on the ship.

It is kind of ironic, Mr. Speaker, in that, we are talking about the different levels of misinformation and everything that took place within the debate. And, we were talking about finding a way to have the cruise ships stay in Cayman in port much longer. I remember one ad that basically said *if we build the piers, cruise ship will be in port for eight hours* or something to that effect. However, what I would like to bring to your attention, Mr. Speaker—

[Crosstalk]

[Pause]

Mr. Christopher S. Saunders: —is a report that was Tabled in this honourable House by the Honourable Deputy Premier. It was based on the Department of Tourism Annual Report. On one of the pages that I gave you Mr. Speaker, spoke about the cruise industry and the average time ashore. I want to read what it says here concerning the cruise ships, Mr. Speaker. It says:

"On average, a cruise ship remains in the destination for eight hours and twenty-two minutes. Cruise ships stay between seven hours and fifty-six minutes and eight hours and forty-five minutes in 2017. Ships were docked the longest on Wednesdays and shortest on Fridays. Ships stayed longer in the peak season of February to April and November to December." UN-VERIFIED QUOTE

So, Mr. Speaker, the issue is that if we build the pier and the ships would be in port much longer, per this report that was Tabled by the Honourable Deputy Premier and Minister for Tourism, it already said that the ships are here for eight hours.

As a matter of fact, Mr. Speaker, I would like to bring to your attention page 88 of the Florida Caribbean Cruise Association (FCCA) Brea Report that speaks about the economic impact of tourism. One of the survey questions was: "**How many hours did you spend ashore during your cruise call in "destination" today?**" Of all the destinations on this page Mr. Speaker, I want you to indulge a little because I want to list it out. This is the full ranking of all the different destinations within the Caribbean. As you can see from the bottom, Mr. Speaker, the average hours on the shore for the:

- Western Caribbean 4.92 hours
- Southern Caribbean 4.24 hours
- Mexico 4.23 hours; and
- Eastern Caribbean 4.18 hours

Mr. Speaker of the 32 destinations that were ranked, in terms of how many hours on average that people spend onshore; I want to list them so you can understand, and I will start from the bottom.

Destinations	Average Hours Ashore	Rank
Ensenada	3.48	34
Antigua	3.54	33
Puerto Chiapas	3.65	32
Turks & Caicos	3.69	31
Puerto Rico	3.70	30
Martinique	3.73	29
Trinidad	3.77	28
St. Vincent	3.78	27
Costa Maya	3.83	26
Progreso	3.96	25
Barbados	4.02	24
Manzanillo	4.11	23
Costa Rica	4.14	22
St. Maarten	4.14	21
Grenada	4.16	20
Honduras	4.19	19
Panama	4.23	18
Bonaire	4.25	17
Dom. Rep.	4.26	16
Mazatlán	4.26	15
Belize	4.34	14
Bahamas	4.34	13
St. Kitts	4.41	12
St. Lucia	4.65	11
Curacao	4.68	10
Aruba	4.70	9
Guadeloupe	4.85	8
Guatemala	4.88	7
Cozumel	4.97	6
Jamaica	5.26	5
Puerto Vallarta	5.29	4
Cayman	5.29	3
Colombia	5.49	2
Nicaragua	5.82	1

Mr. Speaker, of the 34 destinations only five were in excess of five hours. The Cayman Islands were only beaten by Colombia – ranked second at 5.49 hours and Nicaragua, ranked first at 5.82 hours.

It is safe to say, Mr. Speaker that neither Nicaragua nor Colombia are within our section but notice that Jamaica was ranked at number five at 5.26 hours and Cayman ranked third at 5.29 hours. Mr. Speaker, despite not having a port, and all of our competitors have piers et cetera, the Cayman Islands continue to box above its weight. What has really made the difference, Mr. Speaker, is that we are unique. There is nothing wrong with us being unique. We are not into mass tourism, we have never been into mass tourism, we have always been into quality over quantity and, it is that mind-set why the cruise lines and every single person still want to come to the Cayman Islands. The question is: Why do we want to go out and risk this?

Mr. Speaker, I would love to say to the people on the Government side, if you do build this port, I hope all the wonderful things you say that will happen to the country will go through. However, as the Honourable Leader of the Opposition said Mr. Speaker, there is a possibility that one of us could be right and one of us could be wrong. But the question is, Mr. Speaker: What if we (the Official Opposition) is right? We will not be able to undo this. I know timing is always of the essence and I know some Members would have already seen that coming into next year, the IMF is already predicting that within the Caribbean and Latin American region, there will be an economic downturn.

Everyone knows that with the trade-war and the issue with the USA and China, everyone is talking about recession. So, the question is: Do we want to find ourselves caught out in the middle of when something goes sideways and we are not prepared for it?

Mr. Speaker, whether we want to admit it or not, these are the kind of things we have to be mindful of. Mr. Speaker, you may have had déjà vu when years ago you were warning the government about undertaking these large projects sometimes and at the end of the day, it went sideways.

There is this belief that there is no cost to the country in this regard and I beg to differ, Mr. Speaker.

[Pause]

Mr. Christopher S. Saunders: Mr. Speaker, you are old enough to remember the term “Reaganomics”. This was when Reagan got his second term in 1984 that would have been the first time that you would have been elected and he was quite a popular figure in the 1980s. I just want to give a brief definition of **“Reaganomics: Refers to the economic policies promoted by U.S. President Ronald Reagan during the 1980s. These policies are commonly associated with and characterised as supply-side economics or trickle-down economics or voodoo economics...”**

The thing about it is Mr. Speaker, we like to talk about the benefits of trickle-down and the supply-side and the truth of the fact is, Mr. Speaker, history has proven that trickle-down economics don't work. It has always been about finding policies that strengthen the middle-class; not in a situation of building industries that aren't paying well and is not something that our people can strive to.

I do recognise, Mr. Speaker.

My parents started in the tourism industry where they both worked at Royal Palms at one point and my father pretty much spent his years as a bartender. On the day shift, we knew when the good cruise ships were in, the tips were good and I can tell anybody that tips—not the salary that he was getting paid—those tips put my four sisters and myself through col-

lege. While my mother was being paid monthly, everyday my father went out, those tips came in and provided lunch money among many other things.

Also, from my personal experience, I can tell anyone that while I was saving to go to college, I worked as a night auditor at a local hotel from 11:00 pm to 7:00am and I will get dressed there and go work my Government job from 8:30 am to 5:00pm. So, tourism is something that is near and dear to me. This is not something that is light. It is for that reason why I really sat down and can honestly say it's foundation and I will work very hard to protect that industry as much as I can. That is one of the reasons we have the utmost respect for the Minister of Tourism and the job that he and his team are doing. We want the Cayman Islands to do well. Nevertheless, it still goes back to beg the question: If something is working, our uniqueness is selling then why are we doing this?

Mr. Speaker, I know you are aware of the book **"Confessions of an Economic Hitman"**. It talks about individuals who go in countries, work for these big corporations and convince them to undertake certain capital projects that are supposedly good for the country.

We have heard over and over that this is not going to cost the Cayman Islands people anything. Mr. Speaker, I beg to differ. On this report, Mr. Speaker: **"Environmental Impact Assessment—it has already been Tabled—Cruise Berthing Terminal for Cayman Islands: Appendix J2: PRELIMINARY ECONOMIC VALUATION OF ECOSYSTEM GOODS AND SERVICES PROVIDED BY GTH REEFS"**. This was one of the Baird reports and on page 20 of that report they spoke about the loss of business in George Town anywhere from US\$23 million to US\$26 million per year. This is not our report Mr. Speaker. It is a report that was commissioned by the Government; we are just using the information. It speaks about the impact that this would have on the current thing.

So, let's say US\$25 million, over a period of 25 years, in terms of what will be lost—and I am only using 25 years as an example, even though it is going to be longer—that is US \$625 million. Mr. Speaker, remember that this is existing local businesses that we have. So, it is not as if building this pier in a vacuum will not have an impact. This is going to impact what we have right now by roughly \$25 million per year and over 25 years \$625 million. Mr. Speaker, the tender operations is another \$10 million per year business. That is a local business already established and it will be gone; over 25 years that will be \$250 million.

In addition, I think there is an article in the Cayman Compass where I think the CEO of one of those organisations spoke about the \$2.32 cents per head that the Government will be giving up in revenue. At \$2.5 million over 25 years, that's another 145 million; again, revenue that is foregone. Those three numbers added up is in excess of a billion dollars that will be impacting the local economy over 25 years.

Mr. Speaker, there is nothing in life that you ever get for free and any way you want to slice it and dice it, \$625 million over 25 years, another \$250 million in lost tender revenues, again local company, generational company, local is another \$250 million plus what the Government will forego in revenue. That is over a billion dollars. Use the multiplier effect and that is over \$2 billion over 25 years when you factor in that money rolled out.

[Inaudible interjection]

Mr. Christopher S. Saunders: No, no, here is the catch, Mr. Premier, just to clarify it for you.

[Inaudible interjection]

Mr. Christopher S. Saunders: That's fine, but since it has already been raised.

At the end of the day, the money will be transferred from what a local company (a Caymanian owned local company) is making right now which is roughly US \$10 million per year from the tender, to a foreign entity that will be saving or not paying that US \$10 million. So, that is money coming out of the local economy. Slice it and dice it anyway that you want, but that is US \$10 million per year that's coming out of the local economy.

Also, as per the Government's own report, the loss businesses in the George Town Harbour will be another \$25 million, so that is \$35 million right there; and then the forego of Government revenue again—same thing. These things have an impact, Mr. Speaker. Nothing is ever done where it is a zero-sum game; they have consequences and they have impact. Mr. Speaker, one of the things I want to talk about is that we are hearing all these stories about how much revenues we are going to make from this; Mr. Speaker, I want to give you a copy of this.

[Pause]

Mr. Christopher S. Saunders: One of the things that I looked at, Mr. Speaker, is from the website of the Department of Tourism that deals with tourism statistics. It gives all the air arrivals broken down by month and year and also on the cruise lines.

Mr. Speaker, give me two minutes, as I really want you to get this.

[Pause]

Mr. Christopher S. Saunders: Mr. Speaker, I will give this copy to you when I am finished so that you can have it for your own records.

Just looking at the Department of Tourism, for the year 2009, there were 271,948 air arrivals and by 2018, as per the Government's website, it grew to 463,001; that was 191,000 in that eight-year period or 70 per cent increase. During the same time, Mr.

Speaker, cruise tourism went from 1,520,372 to 1,921,057 in 2018. So, over that eight-year period, the number of passengers arrived on cruise ship increased by 26 per cent of 400,685.

The point I want to make is that this comes back to the Government's compendium of statistics. It is on page 138 of the compendium and I will organise to send this to you.

Looking at government revenues, Mr. Speaker, during that period of time (in 2009) the total amount of money the government collected in CI was \$9 million for cruise ship departure tax. Coincidentally, that same year, the total amount of money collected in tourism accommodation charges was \$9.2 million. So, let's use 2009 as a base year, Mr. Speaker. The total money from cruise ship departure was \$9 million, the total from tourism accommodation tax was \$9.2 million. At that time the cruise had a total passenger of 1.5 million and air arrival was approximately 272,000. So, we can look at that.

Over the next eight years we increased cruise tourism by 400,685 and we increased air arrivals by 191,000. So, in an eight-year period cruise went up by roughly 401,000 and air arrivals went up by 191,000. Mr. Speaker, here is the difference. Despite both of them starting in 2009 at \$9 million revenue, eight years later the total amount of revenue recorded by the government on cruise ship departures was \$11.5 million. This is actually in line with the same fee that the government charges, in terms of head tax. So, it went from \$9 million to \$11.5 million.

In essence, Mr. Speaker, in "direct" government revenues, for an additional 401,000 passengers, the government made direct revenues of \$2.5 million in an eight-year period.

In the same period, air arrivals went up by 191,000 and the tourism accommodation tax went from \$9.2 million to \$32.7 million; an increase of \$23.5 million. So, 401,000 cruise passengers gave the government direct revenue of \$2.5 million and 191,000 in air arrivals gave the government an extra \$23.5 million; big difference. If anything, it points in the direction of where our bread is buttered.

Mr. Speaker, I would have preferred if the Government went out and did a partnership where we build three or four more hotels across the Island at a cost of \$200 million to \$300 million. That is sustainable tourism. It will make money in the construction. We get jobs created during construction and we get jobs well after construction because we need people to operate those hotels. That is where our bread and butter is.

In 2017, we saw the increase in the term, 'overtourism' where European cities are now saying to the cruise lines '*enough of you now. You are destroying our stayover business*'. We have seen in Canada, where they start limiting. I think last night I found out from my colleague for North Side, that it was Norman Bodden who restricted the number of cruise ships to visit, I think

from seven to three or from seven to three cruise ship and this was done to maintain some level of quality.

This is going back to what the PPM first signed up to in 2005; we are not into mass tourism. Two and a half million passengers yearly in George Town, regardless of whenever they are coming in, they still generate trash and they still tax the infrastructure. We can barely manage with what we have now. We are already seeing the traffic congestion. We need to sit down, Mr. Speaker, and look at our development plan and see where we are looking long term but it cannot be a situation where we go through the concept of *built it and hope that it works*. Those days are over, those days are done.

To the Minister of Tourism's credit, during the last budget session we did ask for the Government to go out and give an update, in terms of the national tourism plan and everything else. To his credit, he did go out and attempted it, and he went across the districts and presented it. There are some parts of the plan that I agree with and some parts that I disagree. But, this is a situation, Mr. Speaker, where we have to look long term.

As my colleague for George Town Central said: *If you look where the vacation people would be, it is not just a matter of planning Cayman today, but it is a matter of going the 15, 20, 30th...* we agree with the Government that they need to look long term, but Mr. Speaker, the truth and fact is that these big ships like the A380 is a fad. People believe in mass tourism and all of that and look at what happened to A380. Look at the amount of ships that are on order in terms of these massive ships. Look at where they are sending them now, China.

Look at where they are sending them now, China. Florida just lost the right to say that they have the largest ship because the next one that is being built will be servicing the Chinese market. That is where the future tourism is.

My fear in all of this is that as other European countries begin to wise-up and we see North American countries like Canada, I think it was Port Victoria are already starting to be wise and say that these amount of people on our infrastructure is too much. As they start kicking them out, they are going to start looking some other place to go. And, while we may think that this is some short-term gain, in the long run, this is going to be pain for us.

Mr. Speaker, I encourage the government to really take a long hard look at what we want the final tourism product to be, but the future cannot be mass tourism. That is not what we are about. We have seen it already. Jamaica with three ports and five piers is literally running the same numbers as Cayman on an annual basis. We have already seen it. You see what is happening in the Bahamas now where their ability to compete with us is beginning to show and the last thing that we need happening to us is that we lose in our uniqueness and what made us who we are.

Mr. Speaker, we have heard many promises, for example, *if we build these ports the average spend per passenger is going to move from \$115 to \$230 et cetera*. The truth of the fact is, in the last BREA report, the highest destination was \$165 per person. Mr. Speaker, when you sit down and look at what people are spending money on, from the same BREA report, when you break down the average spend, it is roughly 43 cents of every dollar that goes towards the duty-free products of alcohol, perfumes and jewellery. Roughly 20 odd cents from the dollar is what goes toward taxes. These aren't my numbers, Mr. Speaker; these are from the same BREA report. We need to sit down and look at what is happening.

If you look at the last BREA report, the average spend per passenger keeps decreasing despite more passengers coming. If you look at it, Mr. Speaker, it is that same mass tourism that we are going around the route to bring more people but the average spend isn't going up. This is where we need to sit down and start looking at quality over quantity. There is nothing wrong with the Cayman Islands being unique. Mr. Speaker that is one thing I want to encourage the Government to seriously take a look at and take a pause.

Mr. Speaker, I one of the things that I want to touch on, with regards to the Bill is the vote count. Like my colleague for George Town Central said, I too, want to know how the people of Bodden Town West voted. If it is a situation where the majority of them said, *Chris, we are for the port*. I will be the first one out there with my hardhat and everything and I will be digging and shovelling. I have no problem doing that. But, Mr. Speaker, for us to sit back and look at even departing from what we have done, in terms of every election we have had in this country, we have always counted at the polling station, always.

In 2009 when we had the referendum for the Constitution, the results were broken down by districts. When they did mix them, all they did was to report George Town together. I am begging everyone to implore them because at the end of the day, I still want to know what the people of Bodden Town West want me to do. For the listening public, this is why we don't refer to Mr. Saunders, Mr. McLean, Mr. Suckoo or Mr. Eden et cetera. In this House, the Mr. or the Ms. doesn't matter. The seat belongs to the people of Bodden Town West, West Bay West, George Town Central, West Bay South et cetera. This is what it is about. This is the seat that we occupy. The only thing that we on this side can choose is that I have many chairs to choose from to sit on but it is still the seat of Bodden Town West.

I will say to my friends and colleagues on that side, at a minimum, know what your people want and decide accordingly. Mr. Speaker, in closing, Winston Churchill once said that history will be kind to me because I intend to write it.

[Inaudible interjection]

Mr. Christopher S. Saunders: You are not getting that book back because you have a book for Shawnette that you have not returned yet, by the way. She reminded me the other day, just so you know, all right? You are not getting back that book; I am holding it hostage.

[Inaudible interjection]

Mr. Christopher S. Saunders: I don't have anything for you, you borrowed them from Gilbert.

[Inaudible interjection]

Mr. Christopher S. Saunders: In closing, Mr. Speaker, Churchill said, history will be kind to me because I intend to write it. And, I will say to the people of the Cayman Islands: Go out and vote either 'yes' or 'no'.

In the final analysis, Mr. Speaker, the purpose of an election or referendum is to determine the will of the people. That is what brought every single one of us here. We represent the majority of the will of the people who came out to vote on that particular day and I will say to the people: Regardless of the results, whether it is 'yes', 'no', met the threshold or not, I am prepared to accept it and that is what I will ask everyone else to do.

Come December 19, we vote and December 20th in the Christmas spirit, let every single person remember that at the end of the day, we are still Caymanians, this is a democracy. We will have differences and disagreements but the system tells us that we have discussions and we have debates and we find consensus. This issue is now going to the public; that is the highest political office of this country, the voters, they are the bosses. And, whatever the bosses say, whether they chose to go and say something or not to say, and our job is to accept it.

I will say to everybody that regardless of where we stand—because we will have differences, this is an emotive issue, but it is one issue and we should not be divided over it because at the end of the day, we are still Caymanians. What we have here is a difference of what we think is better versus what we think isn't. This is what it is and the referendum will decide it.

I have no intention of sitting back and trying to push the vote one way or the other. What I will say and what I intend to do is, whatever facts are put out there, if I find the facts to be incorrect, then I intend to correct it. However, outside of that, my role in this is to go out and encourage the people to vote and I beg everyone in this House... I think we have put enough information out there, so let the people decide.

I will also say to the people within the CPR—because I know that this is personal and I applaud them for what they have achieved but at the end of the day, let—

[Inaudible interjection]

Mr. Christopher S. Saunders: No, they brought this referendum, come on, Mr. Speaker, you have to give credit. You used to be a firebrand too and what you have done has been passed on to many of them too. Don't you think that you would have inspired other people to be firebrands? You inspired me.

[Inaudible interjection]

Mr. Christopher S. Saunders: This is what it comes down to and with that said, Mr. Speaker, whatever the bosses decide, I am willing to accept that and all I ask is that we keep it civil. We are still Caymanians and we just stick to the facts. Putting out things like "increasing spend from 150 to 230", that is not going to happen. Don't run those kinds of ads, they are misleading. You know what I mean? Just give the people proper information and allow them to make the decision and whatever it is, come December 20th, I will come and drop off my fruitcakes to everyone inside here. With that, I wish you all the best.

Thanks very much, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
The Honourable Minister of Commerce.

[Pause]

Hon. Joseph X. Hew, Minister of Commerce, Planning and Infrastructure, Elected Member for George Town North: Thank you, Mr. Speaker.

Mr. Speaker, I rise to hopefully give a short contribution to the People-Initiated Referendum regarding the Port Bill, 2019. It started very short and I kept adding notes as the evening went on.

Mr. Speaker, I resisted getting into the debate during the petition stage and perhaps that was because I was so closely involved during my first four years, that I perhaps felt that I could not be impartial and so, I stayed out of the debate during that period of time.

I represent probably one of the most diverse constituencies and one that is split right down the middle, where this debate is concerned. I am going to ignore the political rhetoric. I am going to ignore some of the things that are being said by some political hopefuls and others who, perhaps, are monetarily invested somehow. But, there is definitely a portion of my constituency that has concerns for the environment and I will always respect that.

I think I remember during the debate on the National Conservation Law, as it is now, I made a comment that I want to live in nature, not visit it.

Then, the other side of my constituency, some of them rely heavily on cruise tourism. Many of them are looking forward to some of the economic opportunities discussed here this evening, even if it is for employment during the construction phase of the port. So, I get feedback from both sides; I am heavily, heavily pressured, I guess, by both ends of it.

Mr. Speaker, over the first four years serving in the former PPM [The People's Progressive Movement] Government—the former government—I had the distinct privilege, and I truly mean that, to serve as a Councillor in the Ministry of District Administration and Tourism, under the Honourable Deputy Premier and, not only do I hold him in the highest regard but I am also very appreciative because he took me in completely. He never left me out of a meeting, never dismissed my position with him as anything inferior—in fact, very much the opposite.

He made me as equal as possible to him from the very first day. We went upstairs and we looked at the offices and he said, "Ok, I will sit in this office; Chief Officer, you are in the middle, Councillor you are on the end—that way we both have the Chief Officer between us, we have access to him." I was not stuck in some corner somewhere. He treated me from that very first day as an equal, as a partner in the Ministry. So, I was involved on a daily basis in the idea of building a cruise port.

In fact, when I decided to join the Progressives, [it was] one of two tasks that I was given. The first task I was given was to do a study on the needs of small businesses; the second was to go door to door and talk about do we want cruise piers and, if we do, where do we want them. I think many others who were with us during the 2013 election were given the same task. And it came back that our people told us they want the cruise piers and George Town Harbour is the only place.

There were proposals for Red Bay, it was very heavily debated, about Red Bay and the North Sound and other places but that is what we were told. That is what we campaigned on and I certainly, personally, won my seat on it whilst campaigning for it. I certainly hope it was not the only reason I won my seat.

Very quickly after taking Office, Mr. Speaker, we were summoned down to the Port in 2013 almost on a weekly basis. There were fights, arguments and issues. It was a mess. Many people mentioned the numbers earlier; I think we had just over 1.2 million passengers that year. People even came to my constituency clinic every Thursday, as it has been, inundated with persons losing their buses, their homes and crying because they were not getting enough business and saying we should stop all civil servants who drive buses and all sorts of things.

Then, we flew to Miami to meet with the cruise lines; again, the Honourable Deputy Premier took me along every step of the way. Before we could even start talking to them, they said: "You guys are wasting your time, we have heard this a million times. Listen, we want a few little things done on the port and we can't even get that done. There is nowhere for our people to sit, there are no tents, if it is raining there is nothing..." So, we left there a little embarrassed. We came back and met with the port; to their credit, they had everything. They already had it mapped out; they just had it

in storage for some reason and so, we deployed it and we looked good. I am just being absolutely frank; we were able to deploy it within a week or two.

Then, very quickly, the phone calls started coming: "Okay, you guys are serious." Thereafter, we went into the Strategic Outline Case which is done in-house and we were under the FFR (Framework for Fiscal Responsibility) at the time. So, from the very beginning, each step of the way, we sent it off to the Foreign and Commonwealth Office for their approval, comments and feedback. Mr. Speaker, that took a lot of time; sometimes weeks before they would respond. The Honourable Deputy Premier showed a whole lot more patience than I would have, certainly.

Then, we hired PriceWaterHouseCoopers to do the Outline Business Case (OBC). Again, we continued each step of the way to get the approval of the Foreign and Commonwealth Office. This continued—this took time, Mr. Speaker—even when we were released by the UK on the restrictions placed on us. We still continued to follow the guidelines of the FFR while preparing the Outline Business Case.

When we talked about good governance and due process, I found it extremely frustrating, Mr. Speaker. In fact, I know that two Members sitting in the room across the Floor from me can agree that many times we sat in Caucus and shook our heads and complained about how long things were taking because of due process. No one can deny that. In fact, we still struggled with it. But, I can tell you that the Honourable Deputy Premier insisted every step of the way that everything we did was approved and that due process was followed and that the Caucus and Cabinet were informed every single step of the way.

Mr. Speaker, that was time consuming and frustrating, but that's the way he wanted to carry it out and do this. He wanted to be open and transparent. When he and the Premier announced in a press conference that we were going to do the cruise berthing facility they came rushing in, the same suspects. I am not going to call any names, but the same ones: "How can I be a part of it? I have the Chinese waiting." I don't know how many people know the Chinese, but we had several coming in saying that they had them waiting. Everybody had the Chinese waiting; everybody could do it.

[Inaudible interjection]

Hon. Joseph X. Hew: And they were all shocked when the Honourable Deputy Premier said: *This is all going to go on the website. This is going to go to public tendering. All of the documents will be available on the website.*

Really, everybody is going to be able to tender on it?

Yes, that is the way it is going to happen.

So, Mr. Speaker, we continued down that road and here we are today. Took us almost six years and in the last year, I think the general public became frustrated with the process. I felt it three years ago. I had individuals come in to see me with environmental concerns, I respect that. We need that. That is important. But I think the general public, whilst accepting that we were going to build these cruise piers, became weary, concerned.

I am hesitant to stand here tonight and say that, perhaps, some people saw that as an opportunity and took advantage of that opportunity to create even further concerns, distrust, you name it. And I took it personally and this is why I stayed out of the debate, because I know how hard that man worked. I know how much he neglected his family, those of us who know the stories. I know how honest he is and to a fault, he answers everybody's call and he wants to make everybody feel good.

So here we are, Mr. Speaker, here we are. When it comes to the environment, and I have always said—I have gone on record on each one of the talk shows, I think—for me, I am satisfied. Like the Member for Bodden Town West, I grew up either in hospitality or cleaning, sometimes cleaning hospitality, doing both. In fact, I bar-tendered and waited tables until I became President of the Chamber of Commerce and my father, whom I should wish Happy Birthday, he's celebrating his birthday tonight, said to me, "*Son, you cannot serve them and lead them. You have to give up one or the other.*" And so, I stopped bartending. I used to bartend for my good friend Bryan Barnes and I used to bartend at Ottmar's.

So, we grew up in the business, my family has owned several restaurants over the years and so my feelings have always been, it is not a matter of should we build piers, this is just my personal feelings, it is not a fight. My feeling, from what I have seen is: do we want to remain in the cruise industry, because I agree with all the sentiments about quality versus quantity because we are not getting the quality now.

To the Member for North Side, I just came back this summer from a cruise on a mega-ship in Alaska—I enjoyed it. I would never do it if I had to tender. Oh, no.

The only day I felt a bit of discomfort was the day that we only had three hours in port so everybody rushed back to the ship at the same time. I cannot say I am a big cruiser, but if I had to tender on that ship, I would never, never do that again; but walking off onto the piers was cool, it was good. It was interesting to see, just as a side note, that when you leave in the morning you come off on the third deck and you walk straight off, the plank is almost straight, when you come back in the evening, you are boarding on the fifth and the plank is up in the air. You had a tide rise of five to ten feet for the couple hours that we were gone. But no, I do not think I would have enjoyed the experience had I had to tender on that ship.

And so, the question of 'do we want to remain in the business or not?'. Do we want to attract the high-end cruisers that are on the mega-ships or do we want to attract the masses on the smaller ships, the \$340 for five/seven days cruise? That is what we are getting now.

Then, if we want the piers, where do we put them? Again, this is another case of "not in my backyard, Mr. Speaker." I heard the Member for George Town Central saying: "We have to move the cargo port." But put it where? In Bodden Town? Dredge several hundred yards wide over a quarter mile long through the reef, the land and into the quarries? No ability to put a bridge over it? If you have tankers coming in and that sort of stuff. So, we are cutting off the one road that we have to George Town—
[Inaudible interjection]

Hon. Joseph X. Hew: Couple of miles?

Then, my poor colleague in Bodden Town East... I learnt a new word this week, I need to look it up; hold on. My poor colleague in Bodden Town East, I don't know what kind of hydrological survey we are going to do to stop his constituents from flooding when we do that. They are already below sea-level and we are going to build up around and to build a major cargo cruise and transport fuel—

An Hon. Member: Transshipment.

Hon. Joseph X. Hew: —Transshipment point in there. I don't know what we are going to do for those poor folks. And then who is going to finance it? I hear him talking about millennials, and I know that the people he called out would love to be millennials. I am a millennial but complaining that the millennials want to spend \$200 million on a cruise port... do you know how much that development would cost this Government?

[Inaudible interjection]

Hon. Joseph X. Hew: A couple billion dollars; \$2 billion. Talking about millennials want to spend. Where are we going to find \$2 billion?

When we talked about building the cruise harbour and we spoke to the engineers and one of the first things we said was, "Look at all the alternatives: North Sound, East End..." Maybe we should go back to East End. The representative for East End—we widened the road recently, so if he lay down in the road we could go around him.

[Laughter]

Hon. Joseph X. Hew: We have guard rails, so we can't run off. Not in my backyard.

[Pause]

Hon. Joseph X. Hew: Not in my backyard.

So, when we asked them to look at all the other areas when we talked about the environment, they came back to us and said 200 per cent more in environmental impact. Supporting the environmentalists today; he is saying move, for the people of George Town Central, move the cargo dock to Bodden Town. Dredge through 2000 yards of channel through the reef, through the road and a mile and a half down into Bodden Town; but he is supporting the environmentalist—but, again, not in my backyard.

I come back to it again Mr. Speaker: Do we want to remain in the business or do we not? If we do not want to remain in the business, then we don't build the piers. And, we might as well limit some of the cruise passengers I see coming in; everybody can agree on that, we might as well turn those ships back. Half of the people on the ships got on there by signing up for a timeshare. That's the treat you get for signing up to go visit a timeshare. We might as well cut it off. But, for the same people who perhaps are financing the fight against the piers; for them I have to say: We as a Government, will have to take drastic steps perhaps pass legislation similar to affirmative action to put Caymanian North Sound operators in those hotels and stop the monopoly that Red Sail Sports has in there.

We can decide that we don't want to be in cruise tourism but there are ramifications. We have to make changes. It is the one area of tourism that Caymanians participate in; cruise tourism. They are not allowed in the hotels. You need \$11 million in insurance—\$11 million. So, we have to consider these things. Do we want to be in it, and if we do, I submit to you, Mr. Speaker, that the George Town Harbour is the only place for it to go.

It is a different question if we do not want to be in it, sir, but we can put that one to bed. There is nowhere else for it to go. And even to address my good friend from George Town Central's concerns and I accept these as legitimate concerns, Mr. Speaker. Even to address those about the crane and the work in the harbour; I would ask my friend to leave George Town revitalisation up to me, we are making progress.

You have a world-class, only in three other cities in the world, coffee-shop next door. You have the old CIBC building being completely refurbished with some retail, et cetera. We have several, several, very, very good projects on the books for George Town and we are moving. No government entities have moved out of town, in fact, we have moved government entities into town—they have just taken over the entire Walker's House. We are taking care of George Town revitalisation.

What the cruise and the cargo port enhancement will do for us, is to take all of the commotion, all of the traffic congestion, all of the buses on the side of the road, all of the people with the placards and move them back. It will give us the space to take them off of the

main Harbour Drive. It will allow us to double the sidewalks in space. It will allow us to, perhaps, during particular hours of the day go one way or even pedestrian on the waterfront. But we cannot do it now, we are restricted by space. There is not even enough space there to put in a little bicycle lane; you have one little sidewalk that is not even the right size, it is 3 feet versus 4 feet. We need 8, 12 feet of sidewalk.

We can do that when the port is expanded. We can move the cranes and the dump trucks in the nights and everything further back, away from the town. Taking away some of the noise from being up front. We are building the Godfrey Nixon extension way to the strength to be able to handle the trucks. We are going to make some changes in Industrial Park that will allow the Port Authority trucks to do a return route, using that Godfrey Nixon extension without coming through the centre of town.

We will take care of George Town revitalisation; we will go forward with George Town revitalisation whether the port is built or not, but I can tell you that there are distinct advantages and opportunities if the port is built.

Carrying on, on the environment, we were criticised yesterday for engaging experts, but if we do not engage experts, you criticise: you are doing it wrong. You will be taken for judicial review by the Natural Conservation Council.

[The] East-West Arterial, we need it, major government project. We have to do it. Development has gotten ahead of us in the Eastern districts but, we have to do an EIA and there are major concerns about flooding. My good friend, the Member for Savannah will tell you about the Savannah Gully and where that goes. Where you have heavy rains or, God forbid another hurricane, where that water goes. So, we have to do an EIA.

Like I said earlier, I learned a new word, we have to do a hydrological survey. Now, we have to rely on the experts for that but are we going to stop the road because we do not believe the experts? Are we going to stop the road because we don't think that five culverts are enough or that we don't need any culverts? No, we have to take their advice, as they are the experts. That's why the National Conservation Council has asked us to engage them, as they did with the cruise port! They asked us and recommended Baird as the experts! I don't know what kind of consulting the Member for North Side did, but as far as I understand it, you pay people, you don't expertise for free. You go after the best of class who have built a reputation of providing good sound advice. That's how they became best of class and then you hire them! They don't do it for free; and we pay them darn well too.

Are we going to stop the East West Arterial because we are going to go through parrot nesting areas! Are you going to support the Member for George Town

Central when he jumps up to support the environmentalists and say, "No, because parrots are nesting in that area!"?

[Inaudible interjection]

Hon. Joseph X. Hew: We have to consider these things. Yes, we have to take the environment into consideration but you have mitigating factors. You have mitigating actions that you can take and you do your best and you hire the best in class, as consultants to tell you what the best way is to carry out your project with the least amount of environmental impact. I want to jump in an excavator and start the East West Arterial myself. Mr. Tony know that Paul Bodden raised me. I can drive an excavator just as good as anybody else.

[Inaudible interjection]

Mr. Anthony S. Eden: Just fix them two roads in Savannah.

Hon. Joseph X. Hew: But I understand, I understand, I understand that we have to take advice. It is going to cost us money, it is going to delay the time and we have to take advice.

Speaking about traffic: Yesterday, the Member for North Side criticised me or the National Roads Authority (NRA) about; "*their little piece of road work that they are doing*" or something he said.

[Inaudible interjection]

Hon. Joseph X. Hew: So, I received a WhatsApp this morning and this individual is from midland acres:

"Good morning Joey,

"This is your morning Traffic update. I hope all is well. I left home at 6:10 and then I hit traffic at Manse Road, Bodden Town. It was then bumper to bumper until passing Will T. However, at 6:50 I was pulling into Prep. So, that's not bad. It's actually 100 per cent better than before." [UNVERIFIED QUOTE]

Then, I got one from North Side:

"Traffic flowed well. We left the house at 5:47 and made it to Kirk's Market at 6:35; it's like the traffic Gods were teasing us. It slowed down a bit between Beach Bay and Countryside, but wide open after. If we left at the same time as this morning, we would have sat in traffic starting at Moon Bay and the trip would have taken 90 minutes or more." [UNVERIFIED QUOTE]

I just had to put that in. I had to defend the guys at NRA and the Royal Cayman Islands Police Service (RCIPS) for their efforts. So, I know I deviated a little but I did have to bring that.

[Inaudible interjection and laughter]

Hon. Joseph X. Hew: Then, we talked about economic gains. We can sit down and argue all day about how many jobs it is going to create, but for me, it is about sustainability. We know we are going to get construction jobs out of it; we know that if it is 30, 40, 50, 60 per cent Caymanians, we are going to get construction jobs out of it, but for me it is about sustainability. In 2006, we had over 1.9 million cruise passengers so this is not a new number to us. However, by 2013 the decline took us to just over 1.3 million; go back to my story about when we first took office.

The Member for Newlands knows. You probably got people visiting you about the same thing: down to 1.3 million, just over 1.3 million. 2019 over 1.8 and so, we are talking about sustainability. We are talking about taking the numbers to a level where our Caymanian people, our tour operators, our taxi drivers, our persons in the stores on the waterfront, persons transporting people down to the Marina, Stingray tour operators, the Caymanians at Cayman Turtle Centre, Caymanians at Pedro's Castle. We are talking about sustainability, finding a number that we can sustain over the coming decades for those persons and that is what the cruise deal does.

If they don't come, they lose their money. And when we talk about 2.5 million, because I asked the question too; the hair ran up in my back, because I am taking beatings about the traffic every day. When they said, "*Oh, 2.5 million*", I asked the question right away—"*That is too many; how many people are you thinking about tendering?*" "*No, no, no. The idea of the 2.5 million is that we have to spread our ships over the week, over the months and throughout the year to be able to get our returns and our guaranteed*"—guaranteed—"visitor numbers to get our returns on the cruise piers."

They cannot do four and five ships from one cruise line on a Wednesday and they all cannot come Wednesday and Thursday like they do now, because there are only four slips. So, they have to adjust their schedules to come Monday, Tuesday and Friday and Saturday as well. And they have to adjust their schedules to come in the slow months as well and if you do not think that when they are looking at their schedules and they realise that they are losing their money in the Cayman Islands because they have not met their quotas, that they are either not going to assign a ship to come to get their money or to find another company to take their spot on that pier. They have to come to get their money back. If they don't, then in 20 years we get what you call a hardly-used port. We get a hand-me down.

Mr. Speaker, sustained cruise visitors, and I thank the Member for Bodden Town West and all of his statistics and financial analysis. And he makes sense, it is numbers—they do not lie, they say. But I would also not hire an accountant to run my business because I remember, having a business that supplied the hospitality industry, I remember after 9/11 we did not see an

aircraft in here for four months but one month later, I saw a cruise ship. And I was happy, happy, to deliver a couple little goods to the stores in town.

[Inaudible interjection]

Hon. Joseph X. Hew: Yes; almost. Yes sir.

[Inaudible interjection]

Hon. Joseph X. Hew: Before the foreign airlines, absolutely. We could not fly there either.

Then after Hurricane Ivan, I was Chamber [of Commerce] President. We joined with the private sector and swept the road, literally, from George Town to the Turtle Farm because the first tourists we had after Ivan came on a cruise ship.

[Inaudible interjection]

Hon. Joseph X. Hew: Well, I opposed it then when you said they were coming, we got the road cleaned up so it did not look so bad.

The Speaker: That is true.

[Inaudible interjection]

Hon. Joseph X. Hew: But the first visitors back after Hurricane Ivan were cruise passengers. Sustainability Mr. Speaker, sustainability. But I am happy that the Member for Bodden Town West but obviously now be in support of Mandarin Oriental because he said we must attract four, five-star hotels and I know that Mandarin must be one of those. So, I am so happy tonight that he shared that with us and I appreciate that, and I think it will be good for your constituency, sir. Thank you for your support.

Again, we heard the words, "quality over quantity" being thrown around all evening, Mr. Speaker. "Quality over quantity", that's what we are talking about; that's what we are talking about; the ability to attract the highest in-class cruise lines that we can get the quality passengers from the highest in-class cruise lines—those with the most disposable income, not those who received a four-day cruise for taking a timeshare tour; "quality versus quantity". Sustained quantity but improving quality, Mr. Speaker.

Sustained quantity returning us to where we were in 2013, in 2006/2007, just under 2 million passengers; returning us to that but with quality sustained quantity but with quality. Top class cruise ships with high net worth passengers. That is what we are trying to achieve, Mr. Speaker. So, I thank the Member for George Town Central for continuing to say, "Quality over quantity"; I agree with him 100 per cent.

I also received many comments—you know, I will get to that later.

The date, Mr. Speaker, there is no perfect time. Yesterday, we heard the Leader of the Opposition go to great lengths to demonstrate that he and the Premier, as opposition at the time, objecting to the Government holding a referendum in the summer. So, now we are holding one at Christmas, if we hold it in a couple months it is spring break, if we held it a couple weeks earlier it is thanksgiving. I don't think there is a perfect time but we took it into consideration. And, the truth is that if this Government received the verified signatures in January, we would have set the date right after, if we received it in June, we would have set it right after, if we received it in October—well we did, right?

[Laughter]

Hon. Joseph X. Hew: Yeah. So, this is where we end up. It is just a matter of timing. But, on top of that, it worked out perfectly for our children that they are only going to lose a half day of school.

So, if the real reason is waiting until people come back, it can't be the first week of January because people are still away. If we go into January, there is a holiday at the end of the month and then children are going to have to be out of school for three days, or at least two days in total; half day for set up, full day for the vote and half day for breakdown. That would be right in the beginning of the school year, another interruption. So, it just worked out, it just worked out. It just worked out. For me—and perhaps I am not that good of a politician—it was nothing malicious.

I am going back to the e-mail I received the five points; that was number one. Number two was: The newly registered voters and that has been covered by several people tonight.

Again, the key point is there is no perfect time. If we delay it two months, then those who are registered in between that are going to want to be included as well, but I do welcome all of those, especially those who just now decided to register because they want to vote on the referendum. I welcome them; I welcome them to all aspects of civic duty in the Cayman Islands. Hand on heart I welcome them.

The alcohol sales: I will admit it was me that raised it. I have responsibility for commerce, I come from the hospitality industry, I know, because I used to bank-roll them. I know that there are restaurants and caterers that are looking forward to that week to pay the bills for the slow months. Some of those parties are \$20-30,000. That covers September, October, November. In the old days when we used to get all Category 1 hurricanes passing by and you had to close five times, all those sorts of things.

[Inaudible interjection]

Hon. Joseph X. Hew: The Honourable Leader of Opposition asked, many, many, Christmas parties are held as luncheons—both luncheons and dinners—and

if they had to cancel at this time, at this stage, there is no way that there would have been able to reschedule with any other restaurant. Everybody is booked up.

So, I will take responsibility for that. I thought it would be very difficult to say to the private sector, say to the people who rely on this time of year to make some money, to kick off the season for them that the they can buy new things, etcetera, *"Sorry, you are going to have to cancel whatever functions you had on that day. In fact, you have to close at midnight the night before and then you lose a whole day."* That was my argument and I thank the government for seeing that side of it. I felt it necessary to raise that for the industry.

The argument about the cargo being a separate issue, Mr. Speaker: it was not in our manifesto and I am not going to debate manifestos but, when we had our first meeting with the Port Authority Board, the Port Authority Board said, *"We will not support any redevelopment of the port, unless cargo is included."*

They made that very clear to us; and that is when cargo entered the deal. That is when cargo came into it. We agreed with them—we agreed with them. The Member for George Town Central talked about foresight, planning; it is not just all on the Minister or Ministers and the Cabinet. That is what you have your technical people for. That is why you appoint Boards and you have managing directors, et cetera.

They were right and have proven us right now at this stage, as we are going through a development boom that we have run out of space, and it makes no sense to touch that location, unless we improve the cargo aspect of it as well and that is where cargo came into it.

[Inaudible interjection]

Hon. Joseph X. Hew: I covered that while you were outside.

If we decide that we are not going forward with cruise berthing facilities and the enhancement of the cargo port, but we know we need the cargo port, where are we going to find the money? The tenders are not going to build it for us. In fact, we discussed that with them. We discussed an enhanced tender dock with a rip-wrap that they could come inside, etcetera. They were not interested, so we have to find the money.

So, what are we going to cut out, the roads? We are finally getting to a point where we will have the land-fill capped in the early part of the year so we are going to cut out the integrated solid waste management system? We just signed a contract and broke ground on the mental health facility—should we stop that and use that money? Should we take back the teachers' pay raises? Should we take back the money we are spending on a new Curriculum? Or should we, since we do not have a mandate, which we have been told several times tonight, but we have always said no new taxes and no borrowing, then we should go back against that then. Let's go borrow it. Let's increase

taxes. Let's increase cost of living, add more on to the port.

[Inaudible interjection]

Hon. Joseph X. Hew: The important thing to understand here is that the cruise head tax, as Mr. Miller pointed out in his debate last night, he brought attention to the port finances. The Honourable Deputy Premier responded to that today, outlining the increases and that is tied to the head tax from cruise tourism. Take the whole cruise tourism, take the cruise tourism out of it and we will have to be subsidising the cargo port.

The reason we went to a night time operation was not just because of cruise passengers; at that time, we had the other two terminals using. It also had to do with traffic, congestion and safety in Town. I sat on the port board when that decision was made. It wasn't just because of cruise lines but the fact is that the cruise tourism head tax makes up a huge part of the port authority's revenue and during the slower times it subsidises the cargo aspect of it. We have to consider these things. That is why we are the Government. We have been elected and put in this position to consider all of these things and I don't take any of them lightly. You can talk about me; I own property in George Town too. I have a vested investment. I don't take any of it lightly. It annoys me when the trucks come storming pass my place, the whole place rocks. I take it seriously as well.

The fifth aspect that the e-mails covered was the legal opinion and this was covered extensively by the Premier. The Government took a look at it; we felt that our legal advice and the conduct of this matter was satisfactory and fair. Again, we talk about; *you pay your lawyer to tell you what you want to hear*. Just as you guys were saying all night. So, the only way to resolve that where we have our legal advice and they have their legal advice is in the courtroom. We must throw our legal advice away and take theirs or they must throw theirs... if they don't trust us, take it to the courts.

[Inaudible interjection]

Hon. Joseph X. Hew: I think I should take the opportunity to actually congratulate the Elections Office, the Attorney General and the Premier's Office and putting together so quickly and efficiently, this Bill. We are following the will of the people.

Mr. Speaker, I didn't intend to be this long, to be honest with you; but the Member for George Town Central, the Member for Bodden Town West and the Honourable Leader of the Opposition all said in the referendum that they want the individual counts for their constituency because is their constituents say that they support the dock, then they are coming out with their shovel. It will be too late then. If the country says that they want it, then the Government moves ahead. You join us, help us, and support or you don't. If the country says that they do not want the cruise berthing facilities

and enhanced cargo port then they have given the Government a mandate; a very clear one, you don't need a manifesto for that one. You don't need a manifesto for that one. It will be too late then. What are you going to get a shovel for? You are going to go against the wish of the people? If 51 per cent or more come out and say, "We do not want cruise piers!" but your constituency says that they want it, what are you going to do? Are you going to go out there and start digging with a shovel?

[Inaudible interjection]

Hon. Joseph X. Hew: The referendum will tell us what we have to do. It is a national vote. It makes no sense to me. This is not politics; it makes no sense to me. It is not logical. After the vote it is too late. If you want to know what your constituents think, then you go out and you find out now. It makes no sense.

The question is laid and then the country comes out and votes. If the country says, *Yes, we want cruise berthing and the enhanced cargo facility*, then, the Government is given a mandate by a people-initiated referendum by the people to move forward. If the people come out and vote No, the Government is given a mandate by a people-initiated referendum to not move forward with it. But, if George Town Central said Yes, and the country said, No, you and your shovel can't do any good out there.

[Inaudible interjection and laughter]

Hon. Joseph X. Hew: And a big tank too.

Mr. Speaker, the only other thing I wanted to touch on before I even got into all those other things—

[Inaudible interjection]

Hon. Joseph X. Hew: No. I didn't have that much and it was on one little piece of paper.

The one concern that I have and the one thing that disappoint me the most is that I have heard from people on both sides of the story. And, I will tell you this: I have good friends who do not support the port but they have said to me, "it doesn't change the way I feel about you or it doesn't change my support for you, but the one thing that everyone is concerned about is the bullying from both sides." It does happen from both sides. Because someone decides to voice their opinion, they are attacked; *they're stupid, they're ignorant, you're drinking Kool-Aid...* that's not who we are. That is not who we are. We are a better people than that. Because I differ from you doesn't change...

One of my very best friends during the 2000 election was one of the heads of the C4C and it didn't change my relationship with him; it shouldn't. It should not. Several Members yesterday, the Leader of the Opposition and I think the Member for George Town Cen-

tral mentioned about when we have light moments between us. I don't think the Leader of the Opposition would mind if I mention that he said earlier today: "Having camaraderie between us in the lunchroom is what will keep us sane." If we don't put our guard down for a moment, if we don't realise, recognise and respect each other as Caymanians first and foremost, then we are heading down a dark path. We are setting a precedent and an example that will only take us to a sorry ending. That is not who we are as Caymanians. Not who we are.

So, I will continue to represent all sectors of my constituency and by so, ultimately, the entire Cayman Islands. I will continue; I have to listen to both sides. When given an opportunity and not attacked, I will sit down and talk about it. I will say here today that the true environmentalists, I understand. I really do and they are a necessary part of our society, it is important that they are around. But, as a Government, we have to take all sides and make decisions based on what we are given.

So, I would like to thank all of those who have called, e-mailed or come to speak to me in person. And, I will go on record to say that I feel satisfied that the Government has followed best practice to this point and that we will respect the wishes of the people. So, let us focus on the referendum and at the end of the day, our people will have their voice and we will move forward as one country, and we will move forward as one country, as one Cayman, as one People.

Mr. Speaker, God bless these Cayman Islands and thank you very much.

[Desks thumping]

The Speaker: Does any other Member wish to speak?
[pause] The Honourable Minister of Financial Services.

Hon. Tara A. Rivers, Minister of Financial Services and Home Affairs, Elected Member for West Bay South: Mr. Speaker, I rise to make a brief contribution to the debate on the Referendum (People-Initiated Referendum Regarding the Port) Bill, 2019.

Mr. Speaker, I want to start like others have done in this House, by acknowledging the over 5,000 registered voters who signed the petition to trigger the provisions of Section 70 of our Constitution.

It is because the threshold, as set out in Section 70 has been reached, namely, a petition signed by at least 25 per cent of the registered voters has been presented to Cabinet, why we are here today. So, Mr. Speaker, I would again like to acknowledge each and every one of those electors who have signed the petition, especially those of my constituents in West Bay South. I acknowledge and respect your right to participate in the democratic process, which I said is enshrined in our Constitution.

I would also like to remind the Members of this House, but also the members of the listening public that this is not the first time I have said and acknowledged

that right. In fact, Mr. Speaker, over 1 year ago, in September 2018, I expressly indication if or once the constitutional provision is triggered, then the Government would respond as necessary. And, Mr. Speaker, that is exactly what we have done, as a Government by presenting this Bill today.

Mr. Speaker, permit me to remind the Members of this Chamber, those in the gallery and those listening on the radio, and demonstrate to my constituents and the country at large, that my position on this matter has been consistent throughout.

In my contribution to the debate on Private Member's Motion (PMM) No.1 2018-2019 session in September of last year, the same Private Member's Motion, I would like to remind the public that that was an attempt by the Opposition to hijack the People Initiated Referendum process for political gain. I expressly acknowledged that:

"Mr. Speaker, as MLAs, and certainly as the sitting Government and precisely, as Cabinet, we are bound to respect the highest Law of the land, our Constitution, which contains in section 70, a clear and expressed provision for a people-initiated referendum. The Government must respect that process, should the threshold signatures be collected. Therefore, this is not about the Government not respecting the people's right to have a say; this is about letting the Constitutional process take its course without political interference by the Opposition and the Independent Opposition."

Mr. Speaker, so as far back as September of last year, the Government acknowledged and accepted our role and responsibility with respect to a people-initiated referendum, should it come to that. This is precisely what we are here today to do; to debate and hopefully pass this Bill which would enfranchise the people. A Bill that would allow the electors to have their say on an issue that the Government has accepted is an issue of National Importance.

Mr. Speaker, I want to thank the Member for George Town Central for reminding the people of the principles by which I ran and first got elected in 2013; by reading excerpts from the National Priorities Plan, to which I agreed to, namely, to promote "Sustainable development ensures that decisions taken achieve environmental, social as well as economic outcomes through an integrated, participatory and transparent approach to decision making." [UNVERIFIED QUOTE]

Mr. Speaker, as far as 2013, I have been saying what I said in 2018 and what I am saying now, in 2019. That is exactly what I have striven to do since getting elected to Office. That is exactly how I govern and approach my ministerial duties both now and during the last administration; and that is exactly how this Government has approached this entire process thus far.

So, Mr. Speaker, the Government is here today presenting this Bill which respects the principle of par-

tipicatory decision-making, which responds to and fulfils our obligation to bring forth the mechanism to give wings to the people-initiated referendum process enshrined in Section 70 of the Constitution. And, Mr. Speaker, make no mistake, if anyone in this Chamber chooses to vote “No” on this Bill here today, those Members are directly voting “No” against the will of the people. By voting “No” on this Bill, they are voting “No” against those electors who have signed their name to the petition to call for a referendum. They are directly voting “No” to democracy and they are directly voting “No” to listening to the will of the people. No matter how they dress it up, no matter how they try to justify it, they are voting “No”, against you, the people who have earned the right to call for this referendum.

Every single elector who signed that petition and every single elector who is looking forward to casting their vote on the 19th December, should take note: If any Member of this honourable House votes “No”, they are directly voting “No” against the will of the people! No matter what they have said before or what they say afterwards. No matter what excuse they make on the radio, in the media (social or otherwise) or to their constituents trying to justify why they voted “No” on this Bill. Mr. Speaker, the fact remains; they would have voted “No” against the very Bill that recognizes the power of the people.

Mr. Speaker, this Government has recognised the power; this Government has respected the Constitution by bringing this Bill forward in the most expeditious manner.

Another fact that should not be lost in all of this is, if, by chance, enough Members in this House vote “No”, then this Bill will not pass; and the will of the people would be thwarted by the very people in this House who claim to be fighting for democracy. If this Bill does not pass then the people-initiated referendum petition on the port, with those over 5000 signatures, falls away. Now, how ironic would that be, Mr. Speaker?

Mr. Speaker, for those Members who think they can be slick by trying to “abstain” from voting on this Bill, they are in essence saying to the public, to the people who they were elected to represent, that they don’t care, one way or the other, whether the people’s voice is heard on the port issue, or not. By abstaining from this vote, they are saying that they don’t care whether or not the people get their constitutionally enshrined right to have a referendum because the people’s voice does not matter enough for them to cast a vote on this Bill.”

The people should take note, Mr. Speaker. They should take note as to which of the Members in this LA vote “Yes” in support of democracy, vote “Yes” in support of carrying out the wishes of the people; and the public should take note of those Members who vote “No” against the will of the people. To deny the people’s call to have their say in a people-initiated referendum on the port.

Finally, Mr. Speaker, the people should take note of those Members who abstain from the vote; those members who ride that fence so hard that they are at risk of becoming chafe—

[Laughter]

Hon. Tara A. Rivers: Those Members choke because of talking out of both sides of their mouth. Mr. Speaker. My question is: Is that the kind of representation that the people want? Is that the kind of leadership you deserve?

So, Mr. Speaker, it is for that reason why I will be voting ‘Yes’ for this Bill. I vote ‘Yes’ in support of democracy and I vote ‘Yes’ in support of the people having a voice in a people-initiated referendum on the port.

Mr. Speaker, with those few words, I say, thank you.

The Speaker: Does any other Member wish to speak?
The Honourable Minister of Health.

[Pause]

Hon. Dwayne S. Seymour, Minister of Health, Environment, Culture and Housing, Elected Member for Bodden Town East: Thank you, Mr. Speaker.

Mr. Speaker, I thought that the whole House did a good job in debating this Port Referendum and that I wouldn’t have to get up to speak, but when I hear the words “Bodden Town”, you know that’s going to draw me out. So, I rise to give a very short contribution unless interrupted, but only for applause. Much has been said, and what could I say to add more to what has already been said?

Mr. Speaker, as a Caymanian, I must say that I feel proud, as a Caymanian that we are able to trigger a people-initiated referendum. We, as Caymanians should all feel proud.

Mr. Speaker, what I also feel proud of is the type of respectful dialogue we can have as politicians in this beautiful Cayman Islands. None of the 19 of us in here, Mr. Speaker, wants what is bad for Cayman. I think it is safe to say that we all want what is best; what is financially sound; what is environmentally sound and what will secure our cruise industry. Everyone knows that stayover tourism puts more into our economy and we have heard of how some of our cruise passengers come back as stayover tourists, based on their experiences, once visiting here. But, we cannot concentrate on just one industry, Mr. Speaker; we have to pay attention as a Government, to all sectors: stayover, cruise, medical sports and the likes. Hence the reason I dare to say that if we imagine just for one minute, Mr. Speaker, just one minute, of the reason why we can’t just concentrate on one industry, imagine just for a minute that if all the cars in the world were pink, what we would have. We would have a pink car-nation.

[Laughter]

Hon. Dwayne S. Seymour: So, Mr. Speaker, we need diversity; it is good for the wealth of our nation and this great place that we call home. The people have done what the Constitution allows them to do and now the Government is doing their part and holding a referendum quick-o'clock. We encourage everyone to educate themselves and make their 'Yes' decision when they vote.

I believe the port is good for the country and the adjustments made to the design make me as a representative more comfortable, Mr. Speaker. Yes, I too had my concerns about the Seven Mile Beach and the methods in structure being used, however, after a few meetings with the Deputy Premier, I was made more comfortable.

It is controversial, Mr. Speaker, since it is a large project but it is more good than negative, in my opinion. The county needs the enhanced cargo and cruise port to continue to grow and develop the economy and to provide the eastern districts with entrepreneurial opportunities and this is the Government's responsibility. There will be 30 per cent less dredging, the Port Authority controls our port, China Harbour didn't win—

[Laughter]

Hon. Dwayne S. Seymour: —the bid, as rumoured, no new borrowing and Eden Rock is safe.

Mr. Speaker, I can tell you that the Deputy Premier who is probably a little kinder than most on this side, he listened. I saw him getting beaten to death at some public meetings. He listened and wrote; he brought people down so that people could get more information and more comfortable, and he made the changes that everyone wanted. They want the cargo port not as enhanced and to ensure that the Seven Mile Beach report came back with a positive that it wouldn't affect. And, as the old saying of our neighbours, and as a Government, we tried to address all concerns and addressed them. However, when we addressed them, it then became something else. So, Mr. Speaker, you know the old adage, *Wanty-wanty, getty-getty and getty-getty don't want it*.

I can tell you, Mr. Speaker, like the Newlands MLA has suggested, I am no puppet who nods my head up and down. The country ought to know that it is good to have me as a part of this Unity Government, as I bring great balance for all.

The negative ones who are not just like the genuine environmentalists, whom we welcome, but our budding politicians who have logged on to an opportunity to be the next ruling Government, this is how the Opposition works also. They want to be the Government and get the credit for what is necessary for the country. Ninety per cent of the time, Mr. Speaker, the Opposition speaks to make the Government look bad,

and that's their job, and they use any opportunity seen, so that they can cause the Government Members to lose their seats in the next election. That's just how the cycle goes. So, people need to understand that when they hear people get on the radio and pound the Government to death, remember there is an underlying reason for them doing so. Always think, *hmmm, I wonder what this is about. This seems to be a good project for the Cayman Islands; why is the Opposition beating it up so badly? Why don't they log on and support?*

I can tell you, Mr. Speaker, there are no lily-whites in here.

[Laughter]

Hon. Dwayne S. Seymour: That's the real reason for some of this banter, but this is no place for those destination politicians who want a quick change in leadership. Our people are watching and I believe we need to inspire our people and not confuse them.

Some people want to know the truth, so the old adage of, *don't confuse me with the facts, I already have my mind made up*, is rampant throughout the Opposition of this. Yes, Mr. Speaker, the Government has stopped at most of the barking dogs as Winston Churchill had said, but it is time to get on with it; build the port and enhance the cargo port.

Mr. Speaker, I am at the age where I have not lived long enough, but I have seen enough to make me so uncomfortable that I will commit myself to tirelessly fight the prejudices that hamper my people's advancement as in the case here, in their own country, drowning our dreams to get our piece of the pie; our piece of the pie that we deserve in the cruise tourism.

Mr. Speaker, 25 years we have waited to upgrade this port. I stand to be corrected; it may be 40 years, as I heard echoed from the bench. We have the perfect opportunity to do so now. If things turn because we don't build this port with this opportunity that we have, you can be rest assured that if a man or woman cannot feed his family, it is worse than an infidel. The cry of the Opposition is quite malodorous and if we don't get this port at this time, it will be quite lugubrious. Go look it up!

[Laughter]

Hon. Dwayne S. Seymour: "Malodorous" and "lugubrious"; look them up!

[Inaudible interjection and laughter]

Hon. Dwayne S. Seymour: At 11 years old, I had read through every dictionary. I used to make words.

[Laughter and desks thumping]

Hon. Dwayne S. Seymour: Remember, I grew up right next door to Burley-ation Mr. Speaker, it is all good for

a light moment but this is serious business. Like the airport code of Grand Cayman – GCM, this is a great Caymanian moment.

Mr. Speaker, I am an internal optimist and I am staying positive throughout this entire process. I get text and e-mails too, with support for the port: *JJ, just go ahead and sign the deal and build the dock*. But I said, *Not so fast. Let our people have their way; that's the right thing to do*.

I want to address the mandate, because I feel like I am a part of the mandate. I have never known 13 to be less than six and all the math that I do, I do it right up here. The mandate—

[Inaudible interjection]

Hon. Dwayne S. Seymour: We'll talk about it; I will write a book about that. Mr. Speaker, I am going to write a book, since the Member for Newlands mentioned that he was one of the persons who made us feel as the Independents, why we never got the Government.

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

Hon. Dwayne S. Seymour: He asked about it, Mr. Speaker.

Point of Order

Mr. Alva H. Suckoo, Jr.: The Member is completely misleading the House and misrepresenting anything I may have said. What I did say was that I am still waiting on him to come back because he told me that he was going to get Moses and Julie and he will be right back and I must wait there. I am still waiting on him to come back—

The Speaker: Well—

Mr. Alva H. Suckoo, Jr.: —like Noah's dove.

The Speaker: Understood, but what happened to the Member was that he found me on the way.

[Laughter and crosstalk]

Hon. Dwayne S. Seymour: I will leave that alone, Mr. Speaker.

[Laughter and crosstalk]

Mr. Alva H. Suckoo, Jr.: That's true.

Hon. Dwayne S. Seymour: Mr. Speaker, the mandate of the people, in the Cambridge dictionary is: **"The authority given to an elected group of people, such as a government, to perform an action..."** and this action, we are performing.

Mr. Speaker, let me deal with this "moving the port to Bodden Town". It was George Town Central's MLA [Member of the Legislative Assembly] and also the Member for Newlands who said in his statement about moving the port to Bodden Town.

Point of Order

Mr. Alva H. Suckoo, Jr.: Mr. Speaker, once more, the Member is misrepresenting...no, I didn't even say that. He isn't even misrepresenting anything I said. I didn't say anything about moving the dock to Bodden Town.

Hon. Dwayne S. Seymour: You talked about *[inaudible]* options.

Mr. Alva H. Suckoo, Jr.: Ask him to tell you when I said that.

Hon. Dwayne S. Seymour: I wrote it down as you said it.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: Option? The option I mentioned was a no-dredging option; that was the only option I mentioned.

So, I would like him to withdraw that statement please.

The Speaker: Honourable Member.

Hon. Dwayne S. Seymour: Mr. Speaker, I misunderstood what he said.

[Laughter]

The Speaker: That's a good enough answer.

[Laughter]

Hon. Dwayne S. Seymour: Yes.

An Hon. Member: Thank you, Mr. Speaker.

The Speaker: Carry on.

Point of Order

Mr. Kenneth V. Bryan: Mr. Speaker, a point of order.

The Speaker: What is the point of order?

Mr. Kenneth V. Bryan: The Minister is also misrepresenting the truth, in respect to what I said. As a matter of fact, Mr. Speaker, I repeated what the Premier said about the location; not me, but his Premier.

[Pause]

Hon. Dwayne S. Seymour: Mr. Speaker, the Hansards will tell and let's just say, all of them said it.

[Laughter]

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

The Speaker: Honourable Member, will you continue ... Honourable Members I think we have taken the levity to a different level and I think we need to let the Member continue his speech.

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

The Speaker: If there are gross misrepresentations, the Chair will certainly pick it up, as well.

Hon. Dwayne S. Seymour: Okay.

Hon. V. Arden McLean, Leader of the Opposition: Well, Mr. Speaker, it is gross here because I didn't say anything about in Bodden Town—

Hon. Dwayne S. Seymour: That's true—

Hon. V. Arden McLean, Leader of the Opposition: —and now the Minister is saying all of them said so. I don't support cutting across the road in Bodden Town, the same way someone said, *let's carry it East End and they can drive around the side of me*; they really think so?

The Speaker: Honourable Members, let the Member continue his speech.

Hon. Dwayne S. Seymour: Mr. Speaker, I will move on and that was just...

[Inaudible interjection]

Hon. Dwayne S. Seymour: So, what I want to say is that, to my people of Bodden Town, I am saying to you, it is better to build a port in an area that has been used for many years than for it to come up in our pristine Bodden Town and disrupt, destroy and dredge our virgin reefs. I am asking you to get this nimby syndrome and say on December 19, "Not in my backyard", and vote yes.

[Pause]

Hon. Dwayne S. Seymour: I know that it will be hard to get anything in Bodden Town because you can't get a boat dock.

[Laughter]

Hon. Dwayne S. Seymour: So, I am not going to worry about that one. Otherwise, my Bodden Town people, they will be trying to come up here, any opportunity they get, and that decision lies with you, my Bodden Town people. So, vote, 'yes' and keep it out of this absurd option of Bodden Town.

I believe your vote is simple, as you have shown in the recent CPR efforts to get signatures. You are last in the percentages of persons who would vote 'no'. And, I know that you understand what their strategy was from the start, in agreeing to put it into your backyard. So, Bodden Towners, vote 'yes'; otherwise, traffic will get worse with this monstrosity being built in your backyard.

Point of Order

Mr. Alva H. Suckoo, Jr.: Mr. Speaker, did anybody suggest actually putting the cargo port in Bodden Town?

The Speaker: Honourable Member, really, that is not a point of order because he has not actually blamed anyone. So, you shouldn't really jump up and grab that ball, you know.

Mr. Alva H. Suckoo, Jr.: Well—

Hon. Dwayne S. Seymour: Mr. Speaker—

Mr. Alva H. Suckoo, Jr.: —I just wanted it clarified.

The Speaker: At that point, he did not.

Mr. Alva H. Suckoo, Jr.: But now he is continuing the argument, Mr. Speaker.

The Speaker: Yeah, but he didn't mention any name at this point. At this point we have to deal with what he has said.

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

Hon. Dwayne S. Seymour: I am glad that this is important, Mr. Speaker.

Bodden Town East is the only coastline, so it would have to be Bodden Town East that it would come—right?

Mr. Alva H. Suckoo, Jr.: Mr. Speaker, on a point of order, I would like to correct the Member; Newlands, East End and North Side have a coastline too.

Hon. Dwayne S. Seymour: They don't have a south line.

Mr. Alva H. Suckoo, Jr.: You know—

[Laughter]

Mr. Alva H. Suckoo, Jr.: —sometimes, it is best not to have an argument with somebody that is not capable of arguing, so, I am just going to sit down.

Mr. Austin O Harris, Jr.: But you still wait until he comes back.

[Inaudible interjection]

Hon. Dwayne S. Seymour: That is the whole problem now, Mr. Speaker, and I wanted an opportunity to say this: We take our money and we send these people off to college for them to come back and look down on Caymanians. I see it happening too much in this country. That is a part of this problem now. We are some of our own problem! We are some of our own problem. Those people cannot walk in anybody shoes. Ask them what they have done for their district. Give them a white piece of paper and they can't put one thing down on it.

[Inaudible interjection]

The Speaker: I don't think we need to get to the point where we are really, really insulting people. Levity is one thing and insult is another thing.

Hon. Dwayne S. Seymour: Mr. Speaker, some of them do not know anything about the tourism industry. I spent 35 years in it. So, when I hear people coming, that flew out and had visited (in their small talk), saying that they first came here on a cruise, hundreds of them since 1985, is my experience with it. On December 19th I plan to go out and vote 'yes', in accordance with the indications shown by my Bodden Town East people.

So, join me; let us hold hands and go do it. If we had even put this off until January 2020, and the initiative failed, they would still do a Judicial Review.

I can tell you, Mr. Speaker, there are more Caymanian ownerships in the cruise tourism industry than the hotel industry. So, sometimes, Mr. Speaker, people think that they are more than what they are. And, I have to be very careful how I say this: But, people ought to know that I also have a voice in this nation and I represent 90 per cent of the people who they look down on, on a daily basis. They want their votes, but they look down on them, saying they are not worthy of a conversation. So, Mr. Speaker, I watch and I wait. I am trying to be a good contributing citizen. I could go on but I would probably touch some people and I would have to sit down again.

[Laughter]

Hon. Dwayne S. Seymour: So, it is not you, Al, you are not that important—

An Hon. Member: Wheeewww!

Hon. Dwayne S. Seymour: —you know.

So, Mr. Speaker, thank you for the opportunity for me to give this contribution and I hope that the people go out and vote 'yes', on December 19th; it is the right thing to do.

Thank you, God bless!

[Desk thumping]

The Speaker: The Honourable Attorney General.

[Crosstalk]

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

Mr. Speaker, I rise to address a few issues that were touched on during the debate, so far; and, in doing so, Mr. Speaker, to proffer some clarification or opinion on some of these matters.

Mr. Speaker, there is the issue of whether the sequence of Cabinet proposing the referendum question and the referendum date whether it was sequentially irregular or flawed, as opined by matrix. Mr. Speaker, you may have heard many times that there are many opinions as there are lawyers. And usually, issues fall to be determined by the court that makes final determination on these matters. Mr. Speaker, we all have our view about issues and which opinion is right and which is wrong.

I often smile when I hear non-lawyers say that because that is not how we lawyers feel; we know there is no right opinion and there is no wrong opinion. As a matter of fact, you just need to take note of what happened in the UK recently with the Brexit matter. You had three judges in Scotland who ruled one way, you had three in the UK's Court of Appeal who rules another way and then it went up to the Supreme Court and you have eleven who ruled another way and if it had gone to Strasbourg, Mr. Speaker, I am sure you would have had at least 13 ruling another way. So, there is this saying: *You are not final because you are right, you are right because you are final.* That's how it works. Even decades later, you will have another set of judges who come back and say: *well, when my learned brother ruled that way 20 years ago, he could not have meant a certain thing, and so, we seek to clarify that for them.*

Mr. Speaker, the question here is whether the procedure adopted by the Government in setting the date and question comports with the Constitution of provision in section 70. You would have seen the opinion from Matrix Chambers and you would have seen the Bill. Mr. Speaker, it depends on what we understand by the expression: *in a manner prescribed by law.* What does that mean in the context of section 70(2) of the Constitution? Is that the question on the issue should be embedded in legislation? Is that the question on the date should be sufficiently precise and predictable so that it shouldn't be done administratively, it

should be underpinned by legislation which provides certainty to the process.

Mr. Speaker, "Prescribed by law" means that it must be by way of some legislation and not merely an administrative exercise. And so, Mr. Speaker, one could be forgiven or asking whether, as crafted, section 72(b) and (c) contemplates a two-stage process with two laws. That is, you have one law dealing with referendum and thereafter you enact another law containing the date and the question. Mr. Speaker, there are different views about how section 70(2)(b) and (c) should be interpreted. Can there be one law, as the Government attempts to do?

Dealing with the referendum as well as the question and the date. In the UK, Mr. Speaker, the way it is done is that the Bill that speaks to the referendum also speaks to the question as debated by Parliament and the question is agreed by Parliament and the Bill is enacted into law with the question. So, there is precedent for what we are doing; but Mr. Speaker, reasonable minds can differ. However, we need to be mindful of what we are trying to achieve here. That is, to give effect to what is contemplated by the Constitution, which is it that there should be a People-Initiated Referendum, and so, we need to find a way to give a purposive approach to section 70 (2)(b) and (c).

Mr. Speaker, given the ambiguity, the nature of the language, and the resulting uncertainty on the part of reasonable thinkers, it might be advisable to remove the question from the current Bill, pass the Bill and then use a separate piece of Legislation in this case, a regulation to put the question. Mr. Speaker, one of the real purpose of that is to ensure that those who really want to support the Bill and want to support the referendum would not have any reason or excuse not to do so because it would reflect their business.

Mr. Speaker, I said reasonable people can disagree because we look at—

Mr. Christopher S. Saunders: Mr. Speaker—

The Attorney General, Hon. Samuel W. Bulgin: — the message—

Mr. Christopher S. Saunders: Mr. Speaker.

The Speaker: The Member for Bodden Town West.

Point of Elucidation

Mr. Christopher S. Saunders: Just a point of clarification, Mr. Speaker, and just for my own understanding.

Is it a situation where for example section 119 of the Constitution that calls for Advisory District Council where we went out and passed a law? Was it a situation where the Constitution assumed that a law would have already been passed that deals with this issue? I am just trying to understand that, for my own purposes. Same as with the Standards in Public Life where the

Constitution calls for one thing and the Legislature went and passed the law. Is it a situation where the Constitution assumed that a Referendum Law would have been passed also? I am just trying to assume that process. Thanks, Mr. Speaker and Mr. Attorney General.

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, I will try and deal with the Honourable Member's query later on but I am just kind of a train of thought which I don't want to leave.

Mr. Speaker, we are talking about the possibility for counsel to have different opinion and because of the whole issue of the construction of legislation, there is no right or wrong legal opinion. Mr. Speaker, if you look at the opinion from Matrix Chambers, for example, the counsel understandably made the point that if we are right in our construction of section 70(2)(b) and she repeated; "*if we are right in our construction.*"

So, Mr. Speaker, like any good lawyer, they are not prepared to go out on a limb to say that they are right. They caveat the position by saying, "if we are right". We don't know whether they are right, Mr. Speaker. We don't think they are right. In the same way, Mr. Speaker, we don't know whether we are right, but as lawyers like to say, *ex abundanti cautela*; *out of abundance of caution*. The safest way to do it is to ensure that we remove, where possible, the doubts surrounding this issue, and thereby avoiding any issue trying to go to the court to see whether this should be tested, one way or the other. In the end, *ex abundanti cautela* not only would that be costly, but it would be time consuming and it would not be in anyone's interest because my understanding from the debate here today, is that persons are really looking forward to the Referendum, which is really what this is all about; not about going to court. As the CCJ says, *these are not matters of technicality, these are matters of justice*.

Mr. Speaker, there will be a Committee Stage amendment which will remove the question from the current Bill that is being debated and if the Bill is enacted into Law and is gazetted, then the Cabinet will then settle the question and put in regulations, as well as confirm the proposed date. That will then remove any issue about whether the two exercises should be coupled. It would also address any concerns about the sequence of things.

[Inaudible interjection]

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

Mr. Speaker, there will always be reservations about whether this is the correct approach. There are always going to be questions about whether there should be two pieces of legislation: one that deals with the actual conduct of the referendum and then a second piece of legislation that deals with the setting of the

question and the date. Mr. Speaker, it seems rather illogical that you would contemplate two pieces of legislation to deal with this particular issue. The more seamless way seems to me, to be approaching the United Kingdom with the same piece of legislation which deals with the conduct of the referendum. Be that as it may, Mr. Speaker, this is the first such referendum that we are having and it would be a shame if the entire thing is derailed as a result of uncertainty about how to treat the process because it is a procedural issue, Mr. Speaker.

It would allow all Members who want to support the Bill—having taking this belt and braces approach—to be able to say to themselves that *I am comfortable that the process seems to conform with what at least one opinion says should be the correct approach.*

Mr. Speaker, the Committee Stage Amendment would be circulated to Honourable Members in due course.

Much has been said about the Venice Commission's Court of Good Practice on Referendums. Mr. Speaker, it is correct to note that it has been accepted by 47 European countries. It is best practice for these European countries; it is not International Law nor is a treaty. It is something that is for the benefit of these European countries, it is not a part of the Cayman Islands domestic law; it is merely 'advisory' in nature. Nevertheless, it provides a significant yard stick by which to justify some of the proposals contained in the Code of Practice; but as I said, it is merely advisory. So, I would warn Members, Mr. Speaker, not to get carried away by the granular discussion about the code of conduct in the legal opinion because it is not a part of our domestic legislation. Therefore, failure to abide by it or observe the guidelines cannot result in any legislation being unconstitutional or otherwise unlawful because there is no law being breached.

Mr. Speaker, the court suggests, for example, that a referendum should be administered by an Independent Commission, but Mr. Speaker, it is common knowledge that we have no such commission in the Cayman Islands. They have been clamouring for an independent commission to deal with elections and I suppose by extension, referendum. But, Mr. Speaker, sufficient onto the day, the fact is that there is none; none for referendum and none for elections. Mr. Speaker, the absence of the commission does not mean that the procedures for treating with referendum in Cayman Islands are any way unconstitutional or unlawful.

Indeed, Mr. Speaker, the Constitution itself contemplates that the question must be set by Cabinet. In the UK where there is a commission, the question is set by a Commission. That is the legislative legal position there. So, whilst the opinion expressed concerns about the procedure for setting the question, in fairness to the opinion for Matrix, it has not, in any way suggested that the setting of the question by Cabinet is unlawful. It expressed reservations about aspect of the

wording of the question. Again, there is room for reasonable disagreement for what language or wording should be included in or omitted from the question.

In the end, Mr. Speaker, whatever method is employed, the issue is whether the question is clear and simple, whether the question is directed to the real issue in contention, whether it is a situation which can be said to not be an ambiguous question and whether the question is neutral. That is, not leading or misleading in any way as written in plain and simple language.

Mr. Speaker, there are 19 Members and two others in this House, and I guarantee you that if you ask all 19 elected Members about the wording for the question, you will get 19 different opinions as to what it should say. You will get 19 different opinions about the wording and the language. And if you want to reduce it to the absurdity of putting it out to all 65,000 residents you would get 65,000 different opinions as to what the question should say. Mr. Speaker, nothing is wrong with that, it is democracy. The question is whether the disagreements are fundamental.

Mr. Speaker, we take that there are minor disagreements about the language and I will give you an example. Metric says they don't like the word "enhance", they prefer the word "refurbish" or "larger". The Government speaks about the 'enhanced port' and Matrix said *no, no, we don't like the word 'enhance', we think you should say 'a refurbished port' or 'a larger port'.* Now, I can see many Members in here taking issue with the word 'larger' or 'refurbished' but that is an example of what we are talking about. They don't like the words 'move forward', Mr. Speaker. So those are some of the variation, if you will, that we are dealing with but in the end, one thing is clear, and that is every registered voter in Cayman Islands understands exactly what the issue for the referendum is. They are quite clear on exactly what the issue is as far as the referendum is concerned and that is what is important.

Mr. Speaker, if you ask me, I would venture to say that the question, as currently framed, satisfies the guidance provided by the Commission. It provides voters with a very simple binary choice to a question; 'Yes' or 'No'. It is not a four or five paragraph question as we have seen in some of these European Referendum. Very simple binary choice.

The Honourable Deputy Leader of the Opposition also spoke about clause 12(4) of the Bill and expressed concerns about the ability of Cabinet to amend primary legislation using an order to amend a Schedule. Mr. Speaker, I was a little bit taken aback by his pronouncements because he—and I hope I understood him right—thinks it is bordering on Constitutional crises. I was a little bit surprised to hear the Honourable Member say so.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: He did say that.

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, I will use one example that we are all aware of; The Public Holidays Law. From time to time, government consider it necessary, for whatever reason to declare a particular day a public holiday. Rather than coming back here to the Legislative Assembly to amend the Law, Cabinet does that by an Order. That's how we do public holidays.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: It is a Schedule that is amended by an Order. So, if you look at the law you will see the various public holiday orders.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: It is amending the law. That's how you amend the law.

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: No, you can add to the Schedule. So, you can decide that the 25th of January is going to be a public holiday and rather than coming to the Legislative Assembly to amend the Public Holiday Law, Cabinet simply issues an order which amends the schedule to say that the 25th January is going to be a public holiday.

[Inaudible interjection]

The Speaker: I suggest thought that those questions could be properly put at the Committee Stage rather than trying to—

Mr. Alva H. Suckoo Jr.: Mr. Speaker, I would like to make a clarification though, just to guide the discussion.

Point of Elucidation

Mr. Alva H. Suckoo Jr.: What I was referring to is not amending a schedule like the public holidays where you would change or add days. This schedule contains primary legislation. So, the end result is that by amending the schedule, you are amending the Law itself. You could add in different sections, you could take things out and you could completely change the purpose of this law.

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, with the greatest of respect, it doesn't change what I am saying. The schedule is contained in primary legislation so by changing the schedule, you effectively amended the primary legislation and that is what the

Legislative Assembly says. That is how it works. It is in the Music and Dancing Law.

Mr. Speaker, it is not unique to Cayman. That is how common law democracies work. In the United Kingdom it is the Minister who is allowed to amend the law by order. In most instances, what they do is just pass the broad outlined legislation and then what we call 'delegated legislation'; it is delegated to the Minister to make amendments as if and when necessary for convenience. And, Mr. Speaker, there are good reasons for that as well. You don't want to be bothering the Legislative Assembly with every little shifting impulse that might be necessary to tweak a law to include in it. You might have an emergency, Mr. Speaker, when the Legislative Assembly, for whatever reason, will be unable to meet and you need to amend the law so you put that in there.

The point I am making is that it is a very common practice.

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: Can we have the discussion in Committee Stage as the Speaker said?

The Speaker: I really prefer that we have the questions at Committee Stage rather than trying to have the crosstalk during the debate.

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, I am not criticising the Member. I am simply clarifying for the honourable Member that it is a common practice and we have numerous pieces of legislations that have been passed by this House where you amend it by virtue of an order.

The Speaker: I know you are not, Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: We did it to the Ombudsman Law, that's how you add Departments to the Ombudsman Law. So, you the areas of responsibility—

[Inaudible interjection]

The Speaker: Honourable Attorney General and Leader of the Opposition—

The Attorney General, Hon. Samuel W. Bulgin: I am trying to be helpful, Mr. Speaker. I am happy to have further discussion with the Honourable Members about how it but that is the general premise.

The Speaker: And maybe you can have a discussion even before you get to the Committee Stage.

The Attorney General, Hon. Samuel W. Bulgin: The general point that I am trying to make is that you have regulations, orders and rules; all of those are called subsidiary or delegated legislation. The meaning there is that the Legislative Assembly has delegated the responsibility, duty or power to someone else to amend the law by order or otherwise.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, the Honourable Deputy Leader also expressed concerns about the wording of the question, in particular, he asserts that as framed—and I hope that I understand him correctly—section 70 by the use of the word ‘assent’ contemplates an onus on the Government to obtain a positive vote. Correct?

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: Thank you. And therefore, as I understand, the use of the words “or against” in clause 4(4) is impermissible. And for the outcome to be in favour of the Government there has to be a 50 plus affirmative ‘Yes’ vote. Correct?

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker. I just want to make sure that I don’t misquote him because it is very important.

Mr. Speaker, simply put, the words “if assented to” means that the outcome of the referendum will be binding on the Government if more than 50 per cent of the registered electors vote in favour or against the proposition which the petition advance on the question set by the Cabinet in the positive and negative form. As currently framed, Mr. Speaker, if more than 50 per cent vote ‘No’ on the question, even though it is a ‘No’, it is binding on the Government and the project cannot proceed. So, it is not a ‘Yes’, it is a ‘No’ vote, it was 50 plus, so it is binding on the Government.

Put another way, Mr. Speaker, if the question was: ‘*Should flogging in school be abolished?*’ And more than 50 per cent said ‘Yes’, it would be as binding in the same way as if more than 50 per cent voted ‘No’ to a question which asked whether flogging in schools should continue.

[Crosstalk]

The Speaker: Honourable Members, please, I know that you want to get into it, but the quicker we allow him to finish the quicker we will get to Committee Stage and I think those questions can be elaborated on much better than crosstalk.

The Attorney General, Hon. Samuel W. Bulgin: So, Mr. Speaker, I think I made it quite clear what I am saying because if I should use the logic of the Honourable Deputy Leader of the Opposition—if the question as currently framed—if on the referendum day, 50 plus people voted ‘No’—to use his logic—then it means that the Government could ignore that and proceed with the project.

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: I am using your logic.

So, Mr. Speaker, I don’t know what is difficult about that. I mean Stevie Wonder could see what I am talking about here.

[Laughter]

The Attorney General, Hon. Samuel W. Bulgin: It’s sheer common sense.

Mr. Speaker, the Honourable Member also spoke briefly about the issue of the spending limit or the spending cap. Mr. Speaker, the position is that unlike some other jurisdictions, there is no legislation in Cayman that regulates spending limit for referendum.

The Speaker: Honourable Attorney General, are we talking about the letter from Broadhurst or are you talking about the point that he made?

The Attorney General, Hon. Samuel W. Bulgin: I am talking about the contribution from the honourable Member.

The Speaker: The point that the Member made.

The Attorney General, Hon. Samuel W. Bulgin: Yes, he touched on spending little briefly, and I am saying, Mr. Speaker, unlike some other jurisdiction, there is no legislation in the Cayman Islands that regulates spending limit for referendums and this is unlike the position in the Elections Law.

Mr. Speaker, the absence of prescribed spending limits for a referendum is due primarily to—and other Members mentioned it—the absence of any sort of general legislation dealing with referendum and the conduct thereof. What has happened up to now, is the practice is that for each referendum we enact bespoke legislation that is on a case by case basis. This is unlike the situation in the UK where you have the Political Parties, Elections and Referendum Act, 2000 (PPERA).

There were questions asked about whether provisions could be inserted into the Referendum Bill to deal with the issue of spending cap; that clearly would have been a matter of policy for Government. The truth is that one would have to ask whether we have sufficient time within which to do so because of the obvious problems that would have been involved in attempting

to do so in such a short timeframe. Mr. Speaker, it is not just a matter of putting in spending caps, it is a question of how you monitor those spending caps and how you enforce them. You would have to identify those who will be subject to those spending caps. It is not like a general election where you have political parties with candidates. The Referendum has several players, Mr. Speaker; you have major players and you have other players who are not so major, but are sufficiently influential enough to help to influence the outcome.

Mr. Speaker, there is the issue of how do police campaigning by social media. All of those are issues that would have to be addressed. And so, the UK for example, in the legislation, the PPERA, campaigners in a referendum wishing to spend over £10,000 during the regulated referendum period must register as a permitted participant. A permitted participant may include an individual on the UK's Electoral Register, an unincorporated association, two or more persons or a political party. Prior to that piece of legislation, Mr. Speaker, there were no spending limits for campaign groups in referendums in the UK. The argument against such limit was stated to be that the difficulties of restraining such activity in a free society are very great.

In the UK according to reports, spending limits for political parties are determined by vote share. For example, in the EU, Brexit 2016 Referendum, the permitted spending by a political party with greater than 30 per cent of the vote was limited to £7 million. Further, Mr. Speaker, a party with 20 to 30 per cent of the vote share was limited to £5.5 million. This proportional capping is also one of the methods supported by the Venice Commission on Referendum.

The report further highlights the fact that some democracies such as Canada and the Netherlands have legislation governing campaign financing that is specific to the referendums, while in others, such as Portugal and Ireland, the financial regulation of referendum is covered by generic rules of party finance. However, in France, there is no governing legislation for referendum campaign.

Mr. Speaker, in other countries such as Australia, Denmark and others, there are no spending limits whatsoever.

So, to highlight my earlier position, the fact that the Venice Commission speaks to the issue of spending cap and that we don't have one, as it relates to referendum in Cayman, does not in any way mean that the conduct of the referendum is in any way unlawful or unconstitutional. It is a matter of public policy, Mr. Speaker. My view is that the way to treat with this is when we enact the General Referendum Law, —which the Government is working on—we will have the necessary wide and detailed consultation that will hopefully arrive at a formula for spending cap; a formula that will at least be acceptable to most stakeholders in the referendum process. So, there is room for such an approach. I think it is a commendable way to deal with the

issue of spending limits but it needs to be properly and carefully thought out before it is enacted into legislation. As a matter of fact, we might have to put it in the regulations so that we will be able to tweak it as we go along and new issues emerge from time to time.

Mr. Speaker, in short, whereas the Elections Law does have provision for spending cap, those provisions, understandably, would not be applicable or appropriate for a referendum because the players are completely different and the problem would be one of monitoring and ultimately enforcement. So, we note what was said in the Matrix opinion and we understand the concerns of the Honourable Deputy Leader of the Opposition, but as it currently stands, there is no law that regulates spending in the referendum but it is something that can and will be looked at going forward.

Mr. Speaker, the concern of the honourable Member and others about the potential unfairness that could be caused by including persons who are deceased but whose name still remain on the voters list, if you use those names in calculating the threshold, is one of absolute merit, if I might put it that way, Mr. Speaker.

Mr. Kenneth V. Bryan: Sorry? Please repeat because I didn't hear you.

The Attorney General, Hon. Samuel W. Bulgin: There is merit in the point.

The Premier, Hon. Alden McLaughlin: Merit in your point.

Mr. Kenneth V. Bryan: Okay.

The Attorney General, Hon. Samuel W. Bulgin: So, Mr. Speaker, what is proposed by way of a Committee Stage Amendment is that the Bill will be amended to provide the supervisor with the discretion in determining the final threshold provided for in section 70(3) of the Constitution to adjust the official list in accordance with information provided under section 19(1) of the Elections Law.

Now, section 19(1) is a section which requires the Registrar General to provide the Supervisor of Election with the monthly returns of the names of persons who are deceased. So, what we have there, Mr. Speaker, is proof positive of persons who are deceased. That is easy to verify, because really, what you need, is simply the certificate from the registrar, General Richmond. And so, Mr. Speaker, in calculating his threshold, if there are 25,350 names on the official Register, at the end of the exercise and he wants to find out what is 50 plus 1 per cent of that threshold, this amendment would allow him, if he has evidence, that 50 of those persons are now dead. This amendment would allow him to discount that amount by 50 and then calculate this threshold using this 50.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker that is the simple solution.

I think it is only fair that if you are going to do the threshold, then it makes a lot of sense that those who are dead and you have evidence that they are dead Mr. Speaker, that they should not be included in the final number. We cannot do that for those who are insane, Mr. Speaker. It is difficult to have conclusive evidence of people who are insane or those who are potential voters.

[Crosstalk]

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, as they said, we are better than that.

Mr. Speaker, I hope I have covered the issues as much as I can. I understand some of it is not easy but that is usually what happens in these things.

The Speaker: The Honourable Premier.

[Pause]

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

The Member for West Bay North.

[Pause]

Hon. Bernie A. Bush, Elected Member for West Bay North: Mr. Speaker, I rise to make a short contribution on the Bill that is currently before this honourable House.

Mr. Speaker, since yesterday I have listened to everyone and one of the first notes I made was when the Opposition Leader reflected on his political journey since 2000. It led me to think about my journey and back then, I was just 37 years old and hard to believe, I actually had hair.

Mr. Speaker, as you may recall, the 2000 election was based on the policies and performances of the National Team Government and the mood back then, was that they were too controlled by big businesses and special interest groups. The people back then—I should say our people, because that is what they are and we must never lose sight of this—our people in particular, and in this case, the people of West Bay, wanted representation that they believed would have their best interest at heart, and as such, my campaign slogan was simple: “Not for sale and not for rent”.

Mr. Speaker, as you may recall, yourself and my friend, my colleague for Bodden Town West who is like a brother to me, convinced me to come and join the CDP [Cayman Democratic Party]. And, his reasoning was that, despite their shortcomings in the CDP, it was the party for families who were seeking a better life in our country.

After much discussion, the people close to me, and many others, whom I respected, I made the decision to join the CDP family and was made to feel welcome by a lot of people and I want to say thanks for that.

Mr. Speaker, in 2013, we had the belief that the CDP was the better way forward, and while we were unsuccessful at the polls between the years 2013-2017, we fulfilled our duty in this honourable House as required by the Constitution to hold the Government to account. I consider many Members in this House, regardless of where they sit, to be my friend. In some cases, I consider them extended family and mentors. And, lest we forget, we are all Caymanians and call this little bit of paradise our home.

Last weekend when I received a copy of the legal opinion that was obtained by the CPR Group... Let me get this straight, I have never had a meeting with the CPR group, never attended any of their meetings. I sat back and according to what my people, in my area expected of me... Of course, it would be wrong and remiss of me not to take what they sent me. I circulated to a few young people to ask their opinions. I will admit that four of the young persons whom I circulated it to, were lawyers whom I and other Members of this House hold in high esteem. Mr. Speaker, within a few hours 11 of the 17 persons whom I circulated the opinion to responded. Yesterday, a further four responded and last night I got the final two responses.

I know they are following the proceedings of this House and I want to thank them for all their feedback and, in some cases, their very blunt opinions. In short, Mr. Speaker, none of them were in favour of the building of the pier, and I disagreed with some of them straight out. The general tone was that they very much intend to campaign against the pier and anyone who supports it. One of them said to me, *Mr. B. you know we all have a lot of time for you, but we feel that this Island is being sold out and nothing will be left for us or our children*. What really hit home to me was that seven of them even spoke about getting a UK passport and moving there to a much better life. Mr. Speaker, leaving this beautiful paradise for that God forsaken place, I would not advise anyone to do that. Mr. Speaker, I won't lie, it hurts me to hear them say that. I now have to ask myself: Who are we developing for? Maybe one of the questions that my colleague for George Town Central should add to his survey is: How many people believe that Cayman has a bright future for them?

What was of even greater concern to every single one of them was our conduct; well, they should say *the Government's conduct*. Many of them believe that the efforts of the Government gave them pause and they questioned the Government's commitment to upholding the democratic principles that we are all elected to protect and promote. Once again, I will say that this is the opinion of the 17 young people who are all educated and all I wanted was their opinion.

I told them that I agreed with what the Premier said when he said that the names should be verified. I have no problem with that because if I were sitting where the Premier is sitting, I would want it verified; everyone should want that, common sense should tell us that. But, they all said that the attack of members of the CPR group left a bad taste in their mouth. Mr. Speaker, I can say that sometimes this can go both ways. These young people were also concerned with the following:

- The decision-making process and the perceived influence being exercised by the cruise representatives and other foreign parties. Of the 17 people, 15 stated this.
- The lack of information from the Government, and not to mention the amount of misinformation that the Government appeared to be putting out there.
- The opaqueness of the Government's Business Case and very importantly, the updated environmental impact study one would expect from such a major infrastructure project and personally, Mr. Speaker, this is my main concern. We will get to that later.
- The scale of the Government's effort and resources being directed to the public to fight this and that it is not fair to the group that does not want it. In short, they were not impressed with how the Government had been conducting themselves.

Mr. Speaker, I am 56 years old. When I started this journey 19 years ago, I was the father of two wonderful children. Since that time, my daughter Shakina has become a school teacher at West Bay Primary and my son Hakeem now lives in Dubai and flies the plane that Mr. Miller mentioned yesterday, the biggest aircraft in the world, the 380-800 for Emirates.

Mr. Speaker, I can tell you first-hand, I saw the process that my son went through. When he made the decision to leave Cayman to better his career in aviation, that is why I can relate to these young people who are talking about going to make it better in the United Kingdom. Mr. Speaker, something else happened between my first election in 2000 and today; I became a grandfather and another expected in January.

[Desk thumping]

Hon. Bernie A. Bush: Now, I understand when people say that if they knew grandchildren were so much fun, they would have had them first. It's true, and I wish grandchildren on everyone.

Mr. Speaker, you are also a grandfather, like me and others in this House. It changes your perspective, your outlook; it means that we have been blessed to see our family tree extend to another generation and that inspires us to keep fighting for our Islands, not just for today, but for tomorrow, where our grandchildren

and their grandchildren will have a better Cayman when they grow up.

We are humbly reminded of this in John 14:3 when Jesus said "*I go to prepare a place for you...*" This is what we should be doing in this House—preparing, not ending for ourselves. We should not be preparing for the billion-dollar cruise industry; we should not be preparing for those select businesses, but to prepare for our future generations of Caymanians so that they too, will be able to call Cayman a paradise in their home.

Mr. Speaker, I am happy to be alive to see a group of people come together and exercise their democratic rights in trying to shape the future of our Islands. Those democratic principles are what made the Cayman Islands what they are today. It reminds me of Ms. Georgette and those people when they went for the women's right to vote. Our people did not advocate violence or civil disobedience, which we know is ongoing around the world. Look at France and Hong Kong, instead, they gave up their time, their efforts and their sweat in advocating for what they think is right; what is wrong with that?

Mr. Speaker, is that not the right many people around the world died to ensure many of us have today? How can we forget this especially as Remembrance Sunday is almost upon us?

The rules of this Legislative Assembly do not allow us to question Members' motives; why then should we sit in this House and question the motives of people who we were elected to serve?

I know that in addition to being political leaders and representatives, we are also humans, and we put our pants on, one foot at a time like everyone else; however, Mr. Speaker, none of us in this House has the right to use the platform that we were given to abuse our people and question their motives. We are expected to behave in a manner that is reflective of the office that we were elected to serve.

Mr. Speaker, as I listened to the debates yesterday and today, I have yet to figure out why so much political capital is being used on this project, but nothing for our people who are living pay-cheque to pay-cheque and some people who are living without a cheque at all. I could not help but wonder why this project was not pushed from last term and I sat back and looked, and I said, *Well, with Minister Panton and Minister Archer, I guess it would have been hard to bring it through.*

Mr. Speaker, when I joined the CDP I knew that you supported building the pier and you never ever hidden that. You have never jumped around and said this or that; you have been consistent all the way through. Also, I have always admired the fact that you have never once told me how to vote, despite being wrongfully portrayed as a dictator. Never once in the four years did you try to tell me what to do. As a matter of fact, even in the last Referendum Bill that came before this House back in 2012, one of your own Ministers

voted against it, as you allowed for a conscience vote on this issue. I too, am asking the Premier to please allow a conscience vote.

Mr. Speaker, the Leader of the Opposition pointed out yesterday that this current PPM-led Government did not have a mandate; that has been hashed over and over and I will not even go near that.

Mr. Speaker, I must also admit that I am disappointed that we will not have an opportunity to know how the people we were elected to serve in the district of West Bay and other sections would have voted as per what is contained in the Bill. I really hope that the Premier and his Government amend this section of the Bill because I have concerns about the count as proposed.

A scenario where ballot boxes are transported in the night to be counted is not reflective of a free and democratic country. We should never ever put our elections in any scenario where anyone has doubts and the fact that ballots from Cayman Brac and Little Cayman will have to travel by plane to Grand Cayman before the votes can be counted; that is not a scenario that we should have entertained. We have always counted at the polling stations and I don't know why that should change now.

Mr. Speaker, I am also deeply concerned that despite the promises of how many jobs this port will create, I have not heard any Member on the Government's side speak about what will happen to the many Caymanian jobs that will be lost. What will happen to those Caymanians? Are we not concerned about them? Mr. Speaker, has the Government stopped to ask the question or consider that the proposed cruise berthing facility will destroy Caymanian owned businesses for the benefit of a multimillion-dollar corporation like the cruise lines?

We know about the jobs that have been promised to us after giving concessions. The perfect example is to look at the Ritz; go down there and see how many Caymanians you can find.

Mr. Speaker, what I feel we should be fighting for is, just like when we have children, we have to protect them from themselves; maybe we have to protect the people in our cruise industry here in Cayman because we know what goes on, Mr. Speaker. The cruise lines play us against each other and where we should be getting \$25 per head, they give one set \$15 per head and the next year they go to somebody else to say, *I will give you \$10 per head*, and they constantly keep cutting each other down until we are getting nothing. Maybe it is time for the Government to step in and say; *Guess what, we will run this show. We will run this show, and this is what you will pay.* Those are the kinds of things that I feel we should be doing, but it is only me.

Mr. Speaker, one thing that stood out in the report that the Honourable Premier read, I kept hearing the word, "unlikely", "unlikely". These experts are saying that it is "unlikely" that it will affect this area.

Mr. Speaker, I have seen two spots: the Marriot and the second is at Boggy Sand Road, behind where I was born and grew up; where something was troubled and the beach just started to move, and then it's gone. We have to get an assurance because the financial industry can leave this country at the click of a computer. And, the fact that the great Mother country that we call the UK and the United States do not, in any way or form wish this little Island well. If they could bury us tomorrow they would. And that is something that everybody hush-hushes about but no one wants to say it in the public. We have to take care of our tourism product; it is the one thing that we have.

I sit and I listen and then I hear talks about the great coral replanting. I look around this room and I wonder how many in this room have ever gone out to dive in Hog Sty Bay or in that Harbour; I have. Danny Soto, Randy Soto, Joey Jackson and I used to be out there every day, every weekend. When you hear them talking about picking up these pan-shores, Mr. Speaker, there are pan shore heads that are bigger than or just as big as this room. So, that won't be growing back right now. When I hear those things, it makes me worry.

Another major concern is the EIA [Environmental Impact Assessment]; and this is where I have my major problem, from 2015. This is 2019 and the plans have changed two or three times since 2015. So, the EIA should be redone, before this is done. We cannot take a chance. I repeat, we cannot take a chance on our environment. There are three things that we know we have: The Stingray City, the diving and the Seven Mile Beach and if that Seven Mile Beach goes, then guess what? We will be the cause of it.

Mr. Speaker, in our Constitution, section 44(3) says:

"The Cabinet shall have responsibility for the formulation of policy, including directing the implementation of such policy, insofar as it relates to every aspect of government except those matters for which the Governor has special responsibility under section 55, and the Cabinet shall be collectively responsible to the Legislative Assembly for such policies and their implementation."

I have sat over here and it has been uncomfortable, but I want to give the Premier all the respect and thanks. Right where he is sitting, the day he marked off two other names and put my name on the PAC [Public Accounts Committee], it has become a Committee that I have really come to enjoy being a part of and I have learned a lot. It is a decent group of people who we work with and it is for the second time that I have been under the chairmanship of the Member for North Side. Four years on the Oversight Committee for the Complaints Commissioner's Office and these last two and a half years on the PAC and there has only been one time that I can ever say in all those six years,

that he was wrong one about something, but, his leadership and consistency, I will always appreciate and say thanks.

[Desk thumping]

Hon. Bernie A. Bush: Mr. Speaker, when the Premier gave me that post, I wanted to stay there and that is the reason why I stayed over here.

[Laughter]

Hon. Bernie A. Bush: I am just being truthful.

I sat with the Member for Savannah many times and took his guidance and advice and he has been my sounding post for the last two years. Mr. Speaker, the Premier even went so far as to try and get me to be a councillor, but the one person he approached said, *No*. You can't blame him. When you know someone is below you but knows more, that would make you uncomfortable, I guess, if you are not secure, unlike what the Minister for Works, in a very good speech... I am hoping that the public listened to Minister Hew. Of all the speeches I heard from this side, it was very, very fair and I thought it should open eyes of people on some things and how it is done. I will say thank you to him for opening my eyes on a few issues.

Mr. Speaker, I want to say to the Premier that there is a quote which I cannot remember it by heart; it is something about to be politically correct to be safe and things like that but sometimes, at the end of the day, regardless of all of that, you must follow your conscience and, to put any uncomfortableness aside, when I sit down, I will be moving across to sit over by the Minister for Savannah.

I want to say to the Premier, thank you very much for the position that you put me in. I guess if I go across there I will probably lose the post on the PAC but, if that is so, that is so; but thanks very much.

To the people I will say this: I cannot, like other people, backtrack. My people in West Bay North that I contacted, and since this came out I contacted over 150, only two said yes; the rest clearly said no and even some people who drive buses, said no. I cannot at this time, with a clear conscience, take a chance that I could be a part of the destruction of the environment. The father and grandfather in me do not allow me the luxury of compromising my principles. I will end just as I began 19 years ago and say, I am not for sale and I am not for rent.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Does any Member wish to speak?

[Pause]

Does any Member wish to speak?

[Inaudible interjection]

The Speaker: I will call on the Honourable Premier to wind up.

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

Mr. Speaker, the hour is late; people need to cross the Floor and all things like that.

[Laughter]

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: I am entirely unsurprised, Mr. Speaker, so I propose to adjourn until 10 am tomorrow morning to wind-up the debate on this and go into committee stage.

The Speaker: The question is that this honourable Legislative Assembly do now adjourn until 10 am tomorrow morning.

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

AYES.

The Speaker: The Ayes have it.

This honourable Legislative Assembly do stand adjourn until 10 am tomorrow morning.

The House adjourned at 9:19pm until 10am, Wednesday, 30th November, 2019.