



PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

First Meeting of the 2022/2023 Session
Second Sitting

Monday
10 October, 2022
(Pages 1-59)

Hon. W. McKeeva Bush, JP, MP,
Speaker

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PRESENT WERE:

Hon. W. McKeeva Bush, JP, MP,
Speaker

MINISTERS OF THE CABINET

Hon. G. Wayne Panton, JP, MP	<i>Premier</i> , Minister for Sustainability and Climate Resiliency “MSCR”
Hon. Christopher S. Saunders, MP	<i>Deputy Premier</i> , Minister for Finance and Economic Development “FED” <i>and</i> Border Control and Labour “BCL”
Hon. Juliana Y. O’Connor-Connolly, JP, MP	Minister for Education “ED” <i>and</i> District Administration and Lands “DAL”
Hon. Bernie A. Bush, MP	Minister for Youth, Sports, Culture and Heritage “YSCH”
Hon. André M. Ebanks, MP	Minister for Financial Services and Commerce “FSC” <i>and</i> Investment, Innovation and Social Development “IISD”
Hon. Sabrina T. Turner, MP	Minister for Health & Wellness “HW” <i>and</i> Home Affairs “HA”
Hon. Johany S. “Jay” Ebanks, MP	Minister for Planning, Agriculture, Housing, and Infrastructure “PAHI”

EX OFFICIO MEMBERS OF THE CABINET

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

ELECTED MEMBERS GOVERNMENT BACKBENCHERS

Hon. Katherine A. Ebanks-Wilks, MP	<i>Deputy Speaker</i> , PS to FSC and ED
Ms. Heather D. Bodden, JP, MP	PS to MoTT <i>and</i> IISD, Elected Member for Savannah
Mr. Dwayne S. Seymour, JP, MP	PS to Labour, Housing and Transport, Elected Member for Bodden Town East
Mr. Isaac D. Rankine, MP	PS to HA and PAHI, Elected Member for East End

APOLOGIES

Hon. Kenneth V. Bryan, MP	Minister for Tourism and Transport — “MoTT”
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ABSENT

OPPOSITION MEMBERS

Hon. Roy M. McTaggart, JP, MP	Leader of the Opposition, Elected Member for George Town East
Hon. Sir Alden McLaughlin, KCMG, MBE, JP, MP	Elected Member for Red Bay
Mr. Moses I. Kirkconnell, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Ms. Barbara E. Conolly, JP, MP	Elected Member for George Town South
Mr. David C. Wight, JP, MP	Elected Member for George Town West

**OFFICIAL HANSARD REPORT
FIRST MEETING 2022/23 SESSION
MONDAY
10 OCTOBER, 2022
10:50 AM
Second Sitting**

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

The Speaker: I call now on the Honourable Premier to grace us with prayers.

The Premier, Hon. G. Wayne Panton, Minister of Sustainability and Climate Resiliency, Elected Member for Newlands: Thank you, Mr. Speaker.

Good morning colleagues. Let us pray.

Almighty God, from whom all wisdom and power are derived. We beseech thee so to direct and prosper the deliberations of the Parliament now assembled that all things may be ordered upon the best and surest foundations for the glory of thy name and for the safety honour and welfare of the people of these Islands. Bless our Sovereign King Charles III, William, Prince of Wales and all the royal family. Give grace to all who exercise authority in our commonwealth that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Parliament, the Leader of the Opposition; Ministers of the Cabinet; Ex officio members, Members of the Parliament; the Chief Justice and members of the Judiciary, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for thy great name's sake.

Let us say the Lord's Prayer together: *Our father, who art in heaven, hallowed be thy name, thy kingdom come, thy will be done on earth, as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil, for thine is the kingdom, the power and the glory forever and ever. Amen.*

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

Amen.

The Speaker: Please be seated.

This honourable House has resumed its business, and is now in session.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: None.

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

The Speaker: I have one apology. The Honourable Minister of Tourism and Transport is unable to be here today.

PRESENTATION OF PETITIONS

The Speaker: None.

**PRESENTATION OF PAPERS
AND OF REPORTS**

**REPORT OF THE
STANDING BUSINESS COMMITTEE
THIRD MEETING OF THE 2021-2022 SESSION
OF THE CAYMAN ISLANDS PARLIAMENT**

The Speaker: The Honourable Premier.

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

Mr. Speaker, I rise to seek permission to lay on the Table of this honourable House the Report of the Standing Business Committee for the Third Meeting of the 2021-2022 Session of this Cayman Islands Parliament.

The Speaker: So ordered. Is the Premier speaking to the report?

The Premier, Hon. G. Wayne Panton: Mr. Speaker no, thank you.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: Madam Clerk, you have an Order Paper. I would appreciate you asking each question, and I will do what I have to do as the Presiding Officer.

QUESTION NO. 1

The Clerk: The Elected Member for George Town North to ask the Honourable Minister of Planning, Agriculture, Housing and infrastructure question number one.

The Speaker: The Member for George Town North is absent from this honourable House; therefore, his question falls away; it is removed from the Order Paper.

QUESTION NO. 2

The Clerk: The Elected Member for Red Bay to ask the Honourable Minister of Planning, Agriculture Housing, and Infrastructure question number two.

The Speaker: The Elected Member for Red Bay is absent from this honourable House; therefore, his question falls away and is removed.

QUESTION NO. 3

The Clerk: The Elected Member for George Town South to ask the Honourable Minister of Health and Wellness question number three.

The Speaker: The Elected Member for George Town South is absent from this honourable House, and therefore, question number three, standing in her name, is removed from the Order Paper.

QUESTION NO. 4

The Clerk: The Elected Member for George Town North to ask the Honourable Minister of Health and Wellness question number four.

The Speaker: The Elected Member for George Town North is absent from this House; therefore, his question cannot be asked and falls away, removed from the Order Paper.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have three statements from Honourable Ministers, including one by the Honourable Premier. I will ask him if he is ready for that.

Honourable Premier?

The Premier – ISWMS

The Speaker: Thank you, Mr. Speaker.

Mr. Speaker, I want to bring to Honourable Members of this House, and the public, an update on the ISWMS project or the “Integrated Solid Waste Management System”, which is what the acronym means, otherwise known as the ReGen project.

Mr. Speaker, in addition to steady progress towards financial close of this important national project, progress continues on capping and remediating the main mound of the George Town landfill. If any Members of Parliament have driven past the landfill recently, they would have noticed the enhanced vegetative screening along the Esterly Tibbetts Highway, and the layer of topsoil currently being added to the cap.

Mr. Speaker, capping began under the previous administration in March 2020, when an initial layer of fill was placed over the waste mound. In November 2021, this Administration commenced construction of the engineered cap, including the geo-synthetic liner and gas management system. Capping the waste mound has always been an important component of the Integrated Solid Waste Management System project. Once completed, this proper, engineered cap will prevent pests, reduce the risk of landfill fires, eliminate odours and reduce methane emissions—a potent greenhouse gas that is a global driver of climate change.

Mr. Speaker, I am pleased to be able to confirm to my colleagues and the country, that Phase 1 of the landfill remediation is nearly complete. The final layer of soil will support the growth of grasses and shrubs that will provide an attractive, green surface that is also resistant to erosion.

Along with the visible continued progress of the landfill capping project, work continues between the Cayman Islands Government and the Dart-led consortium to finalise project agreement negotiations and reach financial close on the public-private partnership for the delivery of our new Integrated Solid Waste Management System.

Mr. Speaker, I think we can all agree that no single administration is responsible for “Mount Trashmore”; it has taken our country over 50 years to reach this stage, and I will say that I do believe credit is due to the previous Administration for their efforts to reach commercial close on the project negotiations with Dart, with the signing of a Project Agreement on March 26, 2021.

Having said that, Mr. Speaker, I also believe that the Opposition has not painted an accurate picture when it comes to the level of work that remained to be done after their administration signed that agreement amid much fanfare and self-congratulation, less than three weeks before the general election in 2021.

While there have been suggestions from Members of the Opposition that our PACT Government inherited a project where the negotiations were essentially complete, and we just needed to get on with the construction of the project, I want to make it absolutely clear sir, that that was simply not the case. In fact, Mr. Speaker, it would be fair to say that nothing could be further from the truth.

You see, contrary to what the current Members of the Opposition have suggested, we were not handed a fully-negotiated contract to simply forward and execute. While I cannot go into details due to commercial sensitivities and the fact that negotiations are still very active—another fact that I firmly believe the Opposition is very much aware of, yet has neglected to mention in their many recent utterances. Suffice it to say, that while there are a number of areas that have been agreed, there were still a number of significant conditions precedent to be negotiated, when the previous administration signed a project agreement at the end of March 2021.

Mr. Speaker, I believe Members have previously heard me describe that project agreement as “an agreement to make an agreement” as there was still a great deal of work to be completed in order to finalise contract negotiations and reach financial close. The March 26th, 2021 project agreement, which the Opposition approved just before the general elections, and celebrated as a crowning achievement of their administration, envisioned a financial close target date of September 30th, 2021.

Mr. Speaker, as the PACT Government worked to familiarise themselves with this important project upon coming into office, I was certainly surprised to discover just how many conditions precedent there were in the signed project agreement and the sheer number of issues, many of which were very significant and very complex, that had been left to be negotiated and agreed to achieve financial close.

In fact, Mr. Speaker, in August 2021, our legal advisers shared a report that gave an overview of the outstanding items to financial close, the vast majority of which were shown as “not yet agreed”, and there were significant issues to be addressed. That report ran for nearly forty pages, Mr. Speaker, and it had page after page, after page, of outstanding items that still needed to be negotiated and agreed.

It is my opinion, Mr. Speaker, that there is quite simply no way the project agreement that was signed, could reach financial close in the time frame that had been projected or promoted last year; not unless one or both parties agreed to make concessions on some key points immediately, without taking into account the best interests of their side. Concessions that would run concurrent with the life of the contract which the people of the Cayman Islands would, quite possibly, be paying for over the 25-year period of the system being in operation.

Hence, yes, Mr. Speaker, a project agreement was signed and progress had definitely been made; but to paint the project agreement as putting the project at a point of “pressing the button” to execute suggests to me, that perhaps the Opposition did not fully appreciate what they had approved. Which I suppose is possible, as it is a highly complex project and they were all quite busy campaigning for re-election at the time they approved it and signed it.

Mr. Speaker, given the timing of the approval and signing of the project agreement—right in the middle of the campaign period for the snap election—I suppose they might not have noticed that the project plans did not have any space allocated for the Department of Environmental Health.

An Hon. Member: What do you say?

The Premier, Hon. G. Wayne Panton: I will repeat that, Mr. Speaker.

An Hon. Member: Please do.

The Speaker: I suppose they might not have noticed that the project plans did not have any space allocated for the Department of Environmental Health to continue their solid waste operations.

Mr. Speaker, I appreciate the significance of that. We learned—if you will allow me for a second, sir—during COVID, how essential these men and women are, who provide these services for us, and there was absolutely no regard paid to the fact that this essential component was missing. The project agreement required for the Department of Environmental Health to be relocated on a timeframe that, much like their projected financial closed date, would be nigh on impossible to achieve. Interesting, coming from an Opposition that claims to be highly competent.

I suppose that there is a possibility that they were aware of this, but felt these issues would have to be further negotiated and resolved in the run up to financial close but that is certainly what we are having to do now, and they certainly did not indicate, or give us any notice, or suggest that this was a problem that we needed to direct our attention to. That is something that has just recently been uncovered as a major issue to be resolved, sir.

Mr. Speaker, this was not a project that was ready to move to construction and frankly, I think it is unfortunate that it has been presented to the public in that way over the past year; but Mr. Speaker, the election campaign was in full swing, and election day was less than three weeks away, so I suppose you can expect hyperbole at that time. It is certainly going on since then. We are certainly way past the heady days of the campaign—we should be, although the Opposition don't seem to be recognising this.

Members may recall, Mr. Speaker, that the project, now named the ReGen Cayman's Energy and

Recycling Centre, was transitioned to the newly established Ministry of Sustainability and Climate Resiliency under my responsibility in October, 2021. Since that time, we've had to do a great deal of work to better understand how this project has changed since the deal was first announced five years ago, and ensure that the project continues to meet the country's needs.

As part of our work to understand the project, the PACT Government and the Governor's Office asked the Office of the Auditor General to review the project and provide some initial insights and advice. Reviewing the project at that moment, as it stood when the project agreement was signed, the Auditor General, unsurprisingly, found that it did not represent value for money and identified opportunities to address and to try to mitigate this, as the negotiations are being finalised. Mr. Speaker, it means the advice was ways to make the deal better for the people of the Cayman Islands.

I would like to reassure my colleagues in this honourable House and the people of the Cayman Islands, that we are committed to taking every step we can to address this concern, and ensure that this incredibly important, and much-needed national project, ends up being a value for money proposition for the country—

[Desk thumping]

The Premier, Hon. G. Wayne Panton: —And will meet our needs at the time it is constructed and turned on and well into the future over the anticipated lifespan of the project. To that end, Mr. Speaker, in April of this year, the Cayman Islands' Cabinet approved an extension to the financial close deadline and long-stop date for project agreement negotiations.

At the time, the deadline to obtain Financial close was no later than 31st October, 2022, and the long-stop date was no later than three months after the proposed financial closed date or January 2023. As we have continued our negotiations, the projected timeline to financial close has shifted slightly, with financial close now anticipated at the end of November, 2022. This date, Mr. Speaker, is still well ahead of the project's long-stop date of 31st January, 2023.

Mr. Speaker, given the scale of this project; its national significance; the level of capital investment required, and the proposed lifespan of the new system, I believe one extra month to reach financial close is hardly excessive. Let us not forget that it took more than three years for the previous administration to reach commercial close with the Dart-led consortium after announcing them as the preferred bidder, in 2017.

Mr. Speaker, while we are in the matter of capital investment, I would like to clear up some recent misinformation about the cost of the project facilities. A few weeks ago, the Honourable Leader of the Opposition and Member for George Town East, said on the radio

that the "latest estimated cost" for the facilities was \$105 million.

Mr. Speaker, this is simply not accurate and unfortunately, as is the case too often with statements made by the Opposition on this project, in this case they missed it by nearly 100 per cent. When the previous administration signed the commercial contract with Dart in March 2021, the facilities were projected to cost at least *CI \$205 million*.

Mr. Speaker, this was—

The Speaker: Honourable Premier, for clarity: Am I understanding correctly—and I had to look at the writing—that their estimate is \$105?

The Premier, Hon. G. Wayne Panton: The representation made by the Leader of the Opposition on the radio show, Mr. Speaker, was that the project was slated to cost CI \$105 million; when in fact, the agreement that was signed in March of 2021 was projected to cost at least CI \$205 million.

[Inaudible interjection]

The Speaker: And to be absolutely clear, that was not said in the House; it was said on a radio show.

The Premier, Hon. G. Wayne Panton: Correct. Yes.

The Speaker: Am I understanding correctly?

The Premier, Hon. G. Wayne Panton: Yes, sir.

The Speaker: Thank you.

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Not here to row about it, so...

Mr. Speaker, this was an increase over initial cost forecasts that was tied to a decision to increase the capacity of the facilities in response to improved data regarding the amount of waste that would need to be treated.

For clarity, Mr. Speaker, I believe the previous administration's decision to increase the capacity of the facilities prior to signing the project agreement with Dart was a sensible one; it was based on the data they had before them at that time. I'm sure Members will agree, Mr. Speaker, that this projected capital cost is a significant one, and it is worth noting that is only one component of the overall project cost.

In either way and sense, Mr. Speaker, this represents the largest capital project this country has ever initiated.

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Please know, Mr. Speaker that, wherever possible, my Administration is working to keep costs down in spite of global supply chain issues and procurement challenges. Our goal is to ensure that ReGen represents a financially viable, long-term solution, for sustainable solid waste management for all three of our Islands.

Mr. Speaker, Members may recall that this project is being delivered as a “Triple P”, or Public-Private Partnership where the Dart-led consortium will design, build, finance, operate and maintain the project for the life of the project contract, which will run through the construction period and subsequent twenty-five years of operations.

Mr. Speaker, once the project becomes operational, the Cayman Islands government will pay a per ton unitary charge to the consortium to process the waste. We expect the operational costs will also be partially offset by the sale of electricity generated by the waste energy plant.

I would like to reiterate that the discussions are proceeding at pace, and every effort is being made to ensure that the Cayman Islands and the government are achieving value for money wherever possible. As these contract negotiations are still ongoing, I am somewhat limited in the detail that I can share at this time, but I am pleased to announce an outline of some important updates.

Mr. Speaker, firstly, the Environmental Impact Assessment (EIA) for the project, which had been paused, has now been restarted. Currently, Dart is working with a number of environmental consultants to undertake the baseline technical studies set by the Terms of Reference that Members may recall were finalised in October, 2021, after the required public consultation process.

The Terms of Reference guides the environmental studies that form the final outcome of the EIA for the project. As the work on the EIA proceeds in the coming months, the environmental consultants appointed by the project team, in consultation with the Environmental Assessment Board (EAB), will undertake technical studies and baseline monitoring of noise and vibration, marine and terrestrial ecology, hydrology and hydrogeology and air quality, among other matters. The environmental studies conducted as part of the EIA will form the basis of an Environmental Statement.

The Environmental Statement is the final outcome of the EIA, and sets the precedent for the project’s environmental performance, informing final design and construction, along with permitting and operational requirements of the facilities once commissioned. The Environmental Statement will also be subject to a public consultation period before it is finalised.

I want to take this opportunity, Mr. Speaker, to encourage the community to participate in the public consultation for the Environmental Statement once those dates and locations are announced. We expect

the EIA process will be completed by the end of October, 2023.

The second aspect of my update, Mr. Speaker, as part of the approval of the project agreement in March 2021, is that the previous administration also agreed to waive the requirement for the Dart consortium to obtain planning permission.

Members may be aware that such a waiver is allowed for under section 53 of the Development and Planning Act (2021 Revision), where Cabinet feels it is in the public interest to do so. Mr. Speaker, while I cannot speak to the motivations behind this particular aspect of the project agreement as it was part of the previous Cabinet’s approval, the current Administration is obligated to fulfil that commitment. We will, therefore, publish a Gazette Notice of that waiver in the coming months.

I would like to assure my colleagues in this honourable House, as well as the Cayman Islands public, that this planning waiver does not exempt the facility designs and plans from review by the relevant Departments and Statutory Authorities which normally review and comment on planning applications in the Cayman Islands; nor does it in any way impact the EIA for the project. The plans and designs will still be subject to review and comment by the Department of Planning, the Department of Environment, the Department of Environmental Health, the Water Authority of the Cayman Islands, and other commenting agencies, as required.

What the waiver means, Mr. Speaker, is that the Central Planning Authority will not be the final approver for the facilities. The publication of the Gazette notice of the Cabinet waiver will be done, instead of the usual notification of planning applications that are normally sent to surrounding landowners.

Once again, Mr. Speaker, I want to emphasise and reassure the public that this waiver of the requirement to seek planning approval does not exempt the facility designs and plans from being reviewed by the relevant agencies, nor does it impact the EIA process which will influence the final design. These requirements will be clearly outlined in one of the schedules to the agreement that will be signed at financial close.

Thirdly, Mr. Speaker, Dart has been working to prepare and refine a national public awareness campaign to encourage responsible production and consumption in our community. While I share the concerns with the members of the public who drive past the George Town Landfill, and see the waste appearing to edge closer and closer to the by-pass, I have been assured by the team at the Department of Environmental Health (DEH), that they are confident in our ability to manage the existing landfill footprint to its fullest until the ReGen facilities are commissioned and operational, which is expected in 2026. However, Mr. Speaker, each and every one of us has a role to play in ensuring we can successfully do this.

As a matter of embracing sustainability and best practice, we should all be rethinking what we

consume, reducing what we throw away, reusing items wherever possible and recycling our glass, aluminium, and number 1 and 2 plastics, at the depots provided and serviced by the team at DEH. As small Islands, land is one of our most finite resources. Using more land for traditional landfilling is not, by any stretch of the imagination, the highest and best use of our limited land resources. Reducing the waste we generate in the first instance, followed by reusing and recycling, are some of the most important tools we have to manage waste more sustainably now, and going forward.

We have to facilitate a paradigm shift in these Islands that takes us back to the mind-set previous generations embodied, without necessarily realising it—for our predecessors, everything that could be reused was. Material possessions were few and far between, and they were not taken for granted. Throwing [something] away was a last resort because, as they knew, there was no such thing as ‘away’.

Even while we work to reach financial close, finalise once and for all the contract negotiations, and build these new facilities, each and every one of us has the opportunity every day to be part of the solution and not the problem. Fill up a reusable water bottle instead of buying new plastic ones. Take recyclables to the public depots rather than simply tossing them in the bin. Make sure waste goes in the bin, rather than littering our roadsides—clearly important for us. I would like to charge everyone here today, and those listening, to take up this challenge and rethink our waste.

I would also like to thank the hardworking leadership and staff of the DEH for their continued management of the active tipping area at the George Town Landfill, and their tireless work to ensure garbage collection schedules are maintained. I will not stay quiet, Mr. Speaker, and allow the DEH and those hard-working people, to be criticised on radio shows or otherwise.

[Desk thumping]

The Premier, Hon. G. Wayne Panton: Working in solid waste management is not an easy job, Mr. Speaker; it is one of the most essential professions in our community to ensure both human and environmental health.

The DEH team continues to manage the active tipping at the landfill. The aim, over time, is to move to the Florida Code land filling standards of operations which include the placement of daily cover. The Department of Environmental Health will manage the methods by which cover can be produced, moved and stored for use in the daily operations of the landfill.

These are not easy jobs, Mr. Speaker, and I am sure Members will join me, again, in thanking the team at the Department of Environmental Health for the work they do around the clock, and the valuable public health services they provide on a daily basis.

In closing, Mr. Speaker, we are still working through a number of outstanding issues that we will

need to agree [on] to reach financial close; but I am confident that the substantive progress that is being made in the negotiations, and the project financial close brings us all in sight. I look forward to providing additional updates to Members of this honourable House, and our wider community, at a later time.

Thank you, Mr. Speaker.

The Speaker: I have also given permission to the Minister of Youth, Sports, Culture and Heritage to make a statement.

Honourable Minister.

Hon. Bernie A. Bush – Ministry update

Hon. Bernie A. Bush, Minister for Youth, Sports, Culture and Heritage, Elected Member for West Bay North: Thank you, Mr. Speaker.

Mr. Speaker, as the MP for West Bay North and as the Minister responsible for Youth, Sports, Culture and Heritage, it is with great pleasure that I rise to share with this honourable House and the public, some of the works taking place in my Ministry since taking up responsibility for these subjects some eighteen months ago.

Before I proceed, Mr. Speaker, I wish to take this opportunity to thank my core Ministry staff which is led by, and consists of professional, knowledgeable, capable, enthusiastic women, for the astonishing work that they are doing. They believe in accountability, something that seems to have been lacking. I want to give them thanks for the hours that they put in—I don't think there is overtime, but I know that my staff put in overtime, Mr. Speaker.

The team is striving to uphold the motto “*to make the lives of those we serve better*”, but also to meet my three strategic priorities which are:

1. Talent identification and development;
2. Enhancement and empowerment of youth; and
3. Awareness and preservation of our culture and heritage.

Mr. Speaker, everyone would automatically think talent identification and development would mean just in sports, but this is also very important in our culture, in our heritage, in the arts; we intend to identify and develop people in all these various fields, not just sports.

Mr. Speaker, I would like to highlight some key accomplishments so far for this year. At the Ministry level, newsworthy achievements this year include reconvening the National Youth Commission; the establishment of various task forces to address cultural gaps which include a national identity task force to focus on identifying a national dress, dance and dish.

Mr. Speaker, you would think that these things would have been addressed a long time ago, but if we ask twenty Caymanians what's our national dish, you

will get ten different answers. We know what our national flower is, we know the national bird, but the rest of these things we don't know, sir—we have never agreed on [them]. A historical site task force to identify and preserve both built and natural cultural sites.

Mr. Speaker, an Emancipation Day task force. I have come to discover this is something that we have never discussed or taught our people.

What the true dates are, what happened? When the Caribbean was emancipated, the person who was in charge didn't want to give it to us and the Governor, who was stationed in Jamaica, came down here a year later and told them that we had to be emancipated; but, unlike the rest of the Caribbean, who had to wait three or four years for a transition period, we were given ours immediately—so ours is before everybody else. Once again, we are unique Mr. Speaker. The majority of us have never been taught this.

The Speaker: You got correct history and good one too.

Hon. Bernie A. Bush: Provision of financial grants which allowed us to partner with international brand Young Chef, Young Waiter Global Award, which supported two winners to travel to Monaco and participate in the world finals, Mr. Speaker. We have young Brittney Bodden, representing us as Chef, and young Laurent Bodden representing us as Waiter. Two young people who are bright, articulate, and hungry to win.

Provided overseas sponsorship to three local writers, of which one was from the Education Ministry. We sent these people to Gibraltar on a course for illustrators and writers to produce children's books for Cayman history and culture. Hopefully, the "A" will probably stand for Agouti.

Sponsored students from UCCI performing arts to travel overseas; assisted various young persons in local and overseas programmes; provided financial grants to sixteen young student athletes to date. Mr. Speaker, it goes back to a fund that you once called the Nation Building Fund—we may have to revisit that in the next budget, because I'm finding that I'm having to do it a lot, sir.

Sponsored various sports clubs, art week and various music festivals and provided financial support to local artists.

The Ministry has also set up a criteria now on how to access funds from the Ministry. It is not done just ad hoc anymore. Now, this is the criteria you have to meet, then we decide who will get the funds and how much you are entitled to, so everybody gets a fair chance, Mr. Speaker. There is only a limited pot.

Mr. Speaker, we have also endeavoured to re-introduce programmes and activities to benefit all ages in our community. Some of these community programmes include Saturdays in the Park, Caymanian Proud events, Pirate Fest (previously known as Pirates Week), and partnering with the Department of Children

and Family Services for Older Persons' Month—so much so, that on October 22nd at the Truman Bodden Stadium, we are having Older People Games for 65 and older. They will be doing different events, and it is open to all our people, Mr. Speaker.

Also, for the second year, we have a partnership with the Protocol Unit in support of National Heroes Day.

Mr. Speaker, I am pleased to inform that the Ministry team is now redirecting its focus to the national youth and sports policies which, when received, were significantly outdated. Work is also being done to establish a Sports Commission, finalise the criteria for focused sports, revamp the Elite Athletes Programme, and finalise an MOU for the 50-metre pool project—universities overseas are already lining up to come here to train during the winter months.

In addition, assistance is being offered to our entities as they go through a restructuring process to develop and enhance services. With all I mentioned Mr. Speaker, and despite going through a restructuring process, both the Department of Sports and the Youth Services unit have continued to provide services in our community which support the government's broad outcomes.

The Department of Sports continues to assess and prioritise the maintenance and development of twenty-seven facilities across the Cayman Islands, and collaborate with various sporting associations and organisations. Through this cross-agency collaboration, the following initiatives have been made possible:

- Honouring women's month holistic living presentation planned and organised by the Department of Sports in support of the Honouring Women Month campaign;
- Working with the Department of Education services to hold the inter-primary and inter secondary track meet

Mr. Speaker, I want to say a special thank you to the Minister of Education, the CEO of Education Mr. Mark Ray, and the Acting Chief Officer for Education for the close collaboration that we have started. They see the importance of culture, heritage, and sports; that the base is in the schools. I must say, it is a pleasure to finally [have] constructive discussions and some work being done—thank you, Madam Minister.

Partnering with the Department of Children and Family Services to provide exercise programmes in West Bay, Bodden Town, George Town, and North Side for our ageing population. We also intend to steer some of those programmes toward water.

Partnering with the Department of Education Services, Cayman Cricket [and] Caribbean Utilities (CUC), to host students from government and private schools in the inaugural Primary School Girls' Cricket Rally.

Mr. Speaker, I am pleased to inform that the Youth Services unit hosted its Ninth Annual Proud of

Them Award campaign earlier this year. Furthermore, the Youth Services unit, in collaboration with the National Youth Commission and the Ministry, will plan and rebrand the campaign to celebrate its 10th year in 2023.

The unit was also able to support the attendance of a young Caymanian to the Commonwealth Youth Forum in Rwanda, and collaborate with the Cayman Islands Youth Assembly on a public consultation paper highlighting youth concerns about proposed Penal Code reform. Finally, the unit facilitated a number of community programmes.

Mr. Speaker, there is also a big youth conference called YES (Youth Empowerment Symposium). This is something that is being worked on very carefully and very slowly. Our own people from overseas will come in to speak and, Mr. Speaker, when this is done, this will be a monumental young people's symposium.

Mr. Speaker, our Statutory Authorities and Government-owned Companies (SAGCs) consist of the National Gallery, the National Museum and the Cayman National Cultural Foundation. Significant development programmes and accomplishments have been provided throughout our three Islands by these entities which support one of my priorities, which is to bring awareness and preservation of our culture and heritage—something the PACT-Government takes very seriously.

Mr. Speaker, time would not allow me to go fully into details about all of the achievements from our SAGCs, however, I wish to briefly highlight a few.

Despite pandemic rules, the National Gallery of the Cayman Islands received more than twelve thousand visitors across its main venues in all three Islands—and this is in spite of pandemic rules, several Miss Lassie paintings were donated to the national collection by people overseas who had purchased them; launched its Community Connections Programme to engage young persons from the local children's home and the Sunrise Adult Training Centre in art workshops and tours, and was the lead sponsor of Cayman Art Week, which was a smashing success when you talk to the artists.

The Cayman Islands National Museum has hosted exhibits and events such as the Miss Annie Huldah Bodden animatronics and the Platinum Jubilee celebration; successfully hosted another annual cultural summer camp; continued with their popular radio show on Caymanian language, culture and history, *See Wha' Ah sayin'?* We are also looking forward in the near future to celebrating with the museum its 32nd Anniversary with *Lookya! Old Time Days Come Back Again!*

Last, but not least, Mr. Speaker, the Cayman National Cultural Foundation is undergoing a strategic review to develop an enhanced purpose. While doing so, they have been able to successfully host a cultural summer camp. Recognise fifteen Caymanians with arts and culture awards; provide grants to ten organisations; reopen the Mind's Eye Centre in support of public and school tours; continue to support the Caymanian

Folk Singers Group, and oversee the repatriation of two Miss Lassie paintings.

Mr. Speaker, while we have accomplished much since taking office, my Ministry and I are mindful that there is still much work to be done in these subject areas. We are committed to ensuring that the Ministry of Youth, Sports, Culture and Heritage not only has the foundational framework needed to carry on this work, but that we are also committed to uphold, in policy and legislation, what is necessary to support and enhance the Ministry's subject areas, and benefit future generations of the Cayman Islands.

Mr. Speaker, on the local front: In West Bay North, three parks are in the works—one on Bramble, one in the back of West Bay Gardens and a Five-a-Side court.

Mr. Speaker, I would also like to say that the Heritage Park, right next to the Ed Bush Stadium, has now been transferred to my Ministry. Things we will be looking at is that artwork, thatch work, et cetera, will be there [so] that tourists can make it a stopping point. On the weekends, it is a marketplace for vegetables, fruits and even fish, because I have spoken to some fishermen and they said they will bring their catch there as well. We hope to have this up and going by the New Year.

Mr. Speaker, I thank you for allowing me this time to share, and I invite the public to continue to monitor my Ministry and, where possible, be a part of the important work that we are doing. Do not be afraid to come and talk to us; we are glad for input, especially on these topics.

Mr. Speaker, I would like to close by thanking my PACT teammates. My Ministry doesn't bring money into the country, Mr. Speaker, but my team mates have allowed my Ministry to get things done by finding the finances over and over so, to the PACT Government: Thank you all, very much, for supporting Sports, Youth, Culture and Heritage.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: I have also been notified and given permission for a statement from the Honourable Minister of Planning and Housing.

Hon. Johany S. Ebanks – Ministry update

Hon. Johany S. Ebanks, Minister for Planning, Agriculture, Housing, and Infrastructure, Elected Member for North Side: Honourable Members, it is my privilege again to address the honourable House as I provide an update to the people of these beloved Islands, on the projects in the departments and entities under our Portfolios in the case of the Ministry of Planning, Agriculture, Housing and Infrastructure.

Mr. Speaker, I refer to our Portfolios because, while each of my colleagues has a ministerial,

parliamentary or secretarial responsibility under the Constitution, in the end we have a collective responsibility. We take this collective responsibility seriously because, ultimately, it is not about what each Minister or Parliamentary Secretary can achieve individually, but instead, how we can effectively work as a team to bring about positive and long-lasting outcomes for our people—after all, Mr. Speaker, we are ultimately responsible and accountable to the people of these Islands.

Our commitment to accountability and responsibility are also backed by the PACT Government's ongoing transparency which you, as well as the people of these Islands, will acknowledge from the published Cabinet meeting summaries.

Mr. Speaker, I want to acknowledge my Parliamentary Secretaries, Dwayne "John-John" Seymour, Isaac Rankine and Mrs. Kathy Ebanks-Wilks, who provide a high level of support in a number of initiatives involving the areas of agriculture and housing, as well as technical and vocational education and training.

Mr. Speaker, while I am thanking all of the people of the Cayman Islands for the opportunity to represent these Islands, it would be remiss of me not to say a special thank you to my North Side constituents; they were the people responsible for putting me in this seat. I want to thank them for the level of trust and confidence that they have in me and, because I see our collective roles as a privilege offered to us by the people, I promise to serve them with respect, dignity, dedication.

Mr. Speaker, I also want to take this time to state that I owe a debt of gratitude to my wife, my children, family and friends, for their understanding and support, without which I would not have been able to work as effectively as I have with the dynamic PACT team. Some of my colleagues across the aisle—well, I wish they were here today—would relate to this, because some of them have been in a position where they may have had to work long hours away from their families, so I truly thank my family for their support.

Mr. Speaker, having described the support, I am grateful to have the PACT team's approach to accountability, collective responsibility, and transparency, and will now lay out some of the things that align with the PACT Government's Broad Strategic Outcomes, which we have achieved working together. We have focused on these over the past year and a half, and they include:

- Providing solutions to improve the well-being of Caymanians so they can achieve their full potential through strengthening our agricultural sector to enhance national food security;
- Affordable housing;
- Training our young people under the Public Works Department Apprenticeship Training Programme;
- Utilising technology to streamline processes at our public-facing departments for greater efficiency and service delivery;

- Building a modern infrastructure to ensure a successful future for our Islands; and
- Improving our road network while acknowledging the processes set out in the National Conservation Council Directive.

Mr. Speaker, it was the following of such processes that the people complained about during previous administrations—where were the meetings with the public? Where was the consultation with the Department of Environment and the National Trust of the Cayman Islands?

Well, Mr. Speaker, not only did the National Roads Authority take the initiative to invite the Department of Environment to meetings and discussions of their concerns and requirements for an Environmental Impact study. The NRA has followed the rules of the NCC to a "T", even explaining on live, on-air shows, the initial steps involved in the study. Public meetings will also be held in the future to explain the steps again and take questions from members of the public. In addition, the NRA and members of the Ministry have had several meetings with representatives from the National Trust of the Cayman Islands, hearing their detailed concerns.

Mr. Speaker, we have done and are doing all of this as a team because it is always at the forefront of our minds who we ultimately work for, and we aim to be an accountable, responsible and transparent government. We have also taken steps to address the storm water management framework which, according to documents that I have seen, was supposed to have been addressed many years ago under previous administrations.

Knowing that our job is to work for the people, Mr. Speaker, the PACT Government is now working on proposals that will result in more accountability from early on in the planning stages when it comes to proper stormwater management solutions. There will be rules and guidelines and consequences for breaches of those rules and guidelines. When it comes to stormwater management, Mr. Speaker, it is not just about all the work we are doing with additional drains, putting them on a periodic cleaning schedule and the NRA publishing the schedule online so members of different communities can see. It is also about options in addition to drains that make the storm water management framework sustainable and in the best interests of our people for the long term.

Again, I thank the Premier, the Minister of Sustainability, and his team for their input with respect to this framework—both from an environmental and sustainability perspective.

Mr. Speaker, throughout the storm that just passed us by, all of our low-lying areas did very well, compared to before. The work that we did in Cumber relieved most of the water damage that would have occurred in that area, and the work that we did in Randyke and those areas, making sure the culverts are always clean, also relieved the pressure off of the people in

those areas. I want to thank the NRA and their team for all of the hard work that they did throughout that storm. They made sure that they took their route there and got the drains clear and ensured the area was taken care of. I thank them.

Now, when it comes to infrastructure, we have also been taking the time to develop our internet and telecommunications sector. Regarding this, we are looking at a number of options; we want the Cayman Islands to have a world-class infrastructure when it comes to internet and telecommunications. It is through such investments that the Cayman Islands can stay ahead of the game and be a leader in communications and not a follower. Internet and telecommunications options will also help us to become more resilient, especially those options that may allow us to remain in communication even immediately following a natural disaster.

This not only keeps us connected to the world, Mr. Speaker, but gives businesses comfort about business continuity, disaster recovery, and preparedness plans. Some of the initiatives led by the Ministry, which will improve the quality of life for all in the Cayman Islands include:

- Supporting the strengthening and modernisation of the agricultural sector;
- Increasing investment in, and awareness of technical, vocational education and training;
- Provision of quality affordable housing;
- Increasing the number of parks, civic centres and multi-purpose halls within our communities; and
- Providing funding for land acquisition for agricultural purposes and others.

Mr. Speaker, let me begin my update with the Department of Agriculture, which will contribute to the Government's broad outcome to provide a solution to improve the well-being of our people so they can achieve their full potential.

The issues of agriculture and food security are at the forefront in the minds of many Caymanians and the government. Due to the COVID-19 pandemic, as well as ongoing threats to global food supplies caused by the war in Europe and climate change, we are feeling the effects in high food prices and empty supermarket shelves.

Mr. Speaker, the Ministry and Department of Agriculture continues to tackle these issues head on. In doing so, our approach is not to just react to the impacts, but to carefully plan in advance in the event of a range of eventualities, especially natural disasters, world events and pandemics, like I mentioned. This approach of carefully planning requires us to work strategically together. Our team also discussed partnerships with local and internal stakeholders. Our aim in all of this Mr. Speaker, is to enhance long-term food security not just for us, but for the generations to come.

All of our efforts will hopefully lead to an expansion in diversity of food sources, Mr. Speaker, while at the same time strengthening the modernisation of the agriculture sector; in doing this we must become both food and nutrition secure. To achieve diversity and security, the Ministry has been actively working with international stakeholders.

In saying this, it is important that we not only work with existing stakeholders, but that we grow with new partners. This is especially important given that over 80 per cent of our food supply mainly comes from the United States. Regarding this, we have already seen the challenges that can arise when we do not have a variety of options and rely mainly on one jurisdiction. People panicking, rushing to the supermarkets because their food security seems uncertain. The exploration of additional food security options, Mr. Speaker, has therefore been focused on expanding intra-regional trade, critical to our long-term food security and economic stability.

It also reflects the PACT Government's acknowledgement of the need for diversity, given the now, very diverse population of the Cayman Islands.

Mr. Speaker, in light of this direction, we have been having discussions with neighbouring countries—Honduras, Jamaica and others—with the aim of sourcing affordable, fresh and nutritious food closer to home. Being close to home may mean a shorter transportation time frame and avoiding our goods having to sit and wait in several different ports before they get to us. If we can reduce the transportation lag, it may mean a longer shelf life for goods in the supermarkets, should the supermarkets agree that this could be beneficial for the people.

As a result, Mr. Speaker, the Ministry's team had a fruitful scoping mission in Honduras in June, whereas we are now looking to have a direct shipping route between the Cayman Islands and Honduras. We are working closely with the private sector to ascertain the needs of the Islands and to assist and support the logistics to make the trade bridge as smooth as possible. We cannot do this without working together with these partners.

Mr. Speaker, our meetings with counterparts in Jamaica have made great progress. In May this year, under a new import/export arrangement between our Islands and Jamaica, we broadened the list of imported agricultural produce to include plantain, breadfruit and sour-sop, as well as frozen ackee. The demand for some of these newly-added produce has exceeded what we grow locally. Until sufficient supply is produced locally, Jamaica offers a good alternative, as it is closer than other countries we import similar items from.

Mr. Speaker, we have worked closely with the Agricultural Society, the farmers and importers, to ensure that local produce takes priority, and that the overseas products will only supplement the demand—we have made that promise. In the meantime, we will continue to provide our farmers with the resources needed

to strengthen their resilience to boost the Islands' food and nutrition security.

We are very thankful, Mr. Speaker, that members of the farming community did not suffer any immediate losses or damages from the effects of Hurricane Ian last week. We have a few reports of loss of vegetable crops such as tomatoes and hot peppers, but nothing substantial. Last year, Tropical Storm Grace badly impacted the Island, causing extensive damage to the agriculture sector, particularly to the crops, with an estimate of 60 to 90 per cent of fruit trees affected.

Our Ministry responded with the Tropical Storm Grace Farmers' Assistance Project to provide relief to commercial farmers who suffered loss of income and livestock, damage to crops and farm infrastructure. A total of \$3 million was made available to one hundred and twenty-four commercial farmers, who were able to get their farms back up and going with minor repairs to their damaged infrastructure and return to production.

The Speaker: Honourable Member, I note that you have a long way to go yet on this statement, therefore, I am going to ask you to pause at this point, so we can take the midday break until 1:30.

Proceedings suspended at 12:07pm

Proceedings resumed at 2:00pm

The Speaker: Please be seated. Proceedings are resumed.

The Honourable Minister of Planning, Agriculture, Housing and Infrastructure continuing with his statement.

Hon. Johany S. Ebanks: Mr. Speaker, thank you.

Mr. Speaker, as I previously stated in this honourable House, the Government, through the Ministry, is also providing additional grants to the Cayman Islands Agricultural Society. We have increased our grant funding to the Society for the employment of two more staff members to provide greater assistance to the farming community when the previous government has the audacity to say, again, that we are not doing anything to help our farmers. They need to stay out of that place they call *Alice in Wonderland*.

[Inaudible interjection]

Hon. Johany S. Ebanks: Mr. Speaker, the government has also provided funding in the amount of \$350,000 for the importation of livestock, primarily cattle and goats to our Island. This is in keeping with the efforts to improve our quality of livestock in the Cayman Islands. A total of ninety-two cattle has already been imported from the United States with a batch of forty-seven scheduled to arrive this month. In addition, approximately two hundred and forty-seven goats have been purchased from Bluff Farms in Cayman Brac and

have been made available for sale to farmers at a reduced price.

Mr. Speaker, to coincide with the importation of cattle from overseas, in May the Ministry rolled out the National Livestock Identification and Tracking System. The system tracks livestock and includes information on identity, ownership and geographic location. All information collected is stored electronically under the control of the Department of Agriculture.

I am pleased to report, Mr. Speaker that one hundred and seventy-three livestock have been tagged to date (125 cattle/48 goats). Visual ear tags have been affixed to each animal with plans in place for an animal passport containing the same identification number as that on the ear tags to be issued to the owner. This National Livestock Identification and Livestock System will bring the Cayman Islands in line with international traceability standards in farm to consumer supply chain—Mr. Speaker, by that doing that, we are hopeful that nobody's cattle will ever go missing again during Christmas time or any other time.

Mr. Speaker, it is anticipated that in the future, when the tracking system is fully implemented, livestock in all three Islands will be equipped with electronic identification tags, so that the movement of these animals, whether by sale, disposal or other means, will be monitored.

Mr. Speaker, another practical step that I have taken in support of our farming sector is the acquisition of the excavator to clear farm lands. When I held various meetings with the farmers, they informed me that they had been asking for this piece of equipment for over twenty years—today, we can tell our farmers that the excavator is finally here. Once again, the PACT Government has listened and delivered on the promise to the farmers.

[Desk thumping]

Hon. Johany S. Ebanks: The new excavator, valued at over CI \$350,000, will provide a well-needed service, in terms of the land preparation programme delivered through the Department of Agriculture. The equipment, which comes with a Class 4 heavy-duty hammer and bucket, will assist farmers in making their land more usable for farming.

Mr. Speaker, I have mentioned in this honourable House before, that credit must also be given to Honourable Minister Juliana O'Connor-Connolly for not just kicking the can down the road, but getting the business case started for this equipment to be purchased. Member for Cayman Brac East on behalf of the farmers, again, I want to say thank you for your efforts in getting this done. Thank you.

[Desk thumping]

Hon. Johany S. Ebanks: There is more to come, Mr. Speaker. The Ministry and the government are now in

the process of purchasing a truck to provide delivery services to the farming community for large volume of agricultural supplies purchased at the Department of Agriculture's commercial centre. I cannot emphasise it enough: we have to provide support and make sure we take care of our farming community.

Mr. Speaker, working to ensure that our Islands will have an adequate and accessible local food supply for generations to come, is an important priority for the Ministry and the PACT Government. It is with this in mind that we continue to focus on the National Egg Strategy.

A national certification/licensing standard has been completed to certify all egg farms and farmers. The aim is to enhance market access for our egg producers by improving food safety. The Ministry started the procurement process for equipment to assist farmers so that they can meet the certification requirements, and we have recruited a well-experienced poultry expert who will be working with the poultry farmers to meet the certification standards.

Mr. Speaker, the Cattle Breeding Programme: The Ministry has acquired the inputs necessary to lead to more animals being bred by artificial insemination. We have also bought three bulls to provide breeding services to local cows. These bulls will serve as an enhancement both for the artificial insemination and the Embryo Transfer Technology Programme. Mr. Speaker, for the first time in Cayman history we will be able to do embryo transfer, improving our livestock genetics here in Cayman.

Mr. Speaker, I just want to mention that through our bilateral talks with our counterparts in Jamaica, we made agreements with Hi-Pro, a division of Jamaica Broilers Group Limited, a leader in the region of livestock reproduction medicine, for them to undertake a full assessment of the local livestock programme. The aim is for us to receive recommendations to modernise our livestock sector, as well as technical support to benefit our farmers.

An immediate win, Mr. Speaker, is that six of our Caymanian vets and clinical staff will receive further training before the end of this year in the areas of artificial insemination and embryo transfer technology and practice. Training and upskilling Caymanians to support the Department's livestock genetic improvement programme is an important part of the Government's plans, Mr. Speaker.

The Cayman Brac Stud Bull Programme: We are introducing the programme in Cayman Brac as a way to assist farmers to improve the genetic quality of their cattle. The Department of Agriculture has been working closely with the Public Works Department to construct a holding and breeding facility for the stud bull, which is expected to arrive in short order. Once on Island, farmers will be able to make arrangements to bring their cows to the facility to be serviced—this strategy is expected to increase herd quality and size by at least 50 per cent in the next three years.

National School Garden Programme – For our Islands to have a successful future in agriculture, we have to involve our youth, Mr. Speaker. In light of this, Cabinet has approved CI\$30,000 to support a school garden programme in all our public primary and high schools. Under this programme, it is anticipated that we will expose two hundred students to agriculture. It is important that we show our young people that farming can be a rewarding career, as well as highlight the important role of agriculture on a local and global scale.

The Cayman Islands Agricultural Business Information System: This includes the development of a platform to collect, store and display key agricultural data to provide real time information on the agricultural sector to assist in policy development and budget building, among other things. The system was launched this year, and I am pleased to note that data has been collected for approximately four hundred and seventy-one farmers on Grand Cayman, and one hundred thirteen in the Sister Islands.

Progress, Mr. Speaker; we are making progress in strengthening and modernising our agricultural sector.

Mr. Speaker, our policy team and legislative drafters are preparing the necessary documents to support the legal and regulatory framework for the development and modernisation of our agriculture sector. These include:

Agricultural Land Lease Policy: The first draft of the policy, which aims to provide crown land to the farming community at an affordable cost, will be ready by next month. As a matter of fact, Mr. Speaker, I was told today that the first draft is ready to go to Cabinet very shortly. We are talking about land that was purchased almost twenty years ago for the same thing we are talking about right now, Mr. Speaker, yet the Opposition sits there saying that we aren't doing anything? Anyhow Mr. Speaker, let us move on from the politics.

Mr. Speaker, the Cayman Islands Food and Nutrition Security Policy: The draft policy is complete and consultations and meetings have been scheduled for October and November in all the districts across Grand Cayman as well as the Sister Islands. We have reached out to many colleagues, Members of Parliament, with the respective dates for the meetings in their constituencies, and we are expecting their full support. Additionally, the schedule of meetings will be widely shared with the general public so we can have their input in this very important document.

It is anticipated that the policy document will be finalised and presented to Cabinet by the first quarter of 2023. In addition, Mr. Speaker, both the Animals and Plant Protection Laws are being revised, while instructions have been given for the drafting of the Pesticide Control and the Agricultural Bill which are being prepared. The Ministry's target is to have these Bills before Parliament by the end of the Financial Year 2022/2023.

Turning to another area that is a major priority for me and this Government: The provision of quality, affordable housing solutions for fellow Caymanians.

Mr. Speaker, our Government is committed to empowering the National Housing Development Trust (NHDT) to increase the number of houses across the districts. Since my last presentation to this honourable House, much progress has been made in this area. The NHDT has completed seven homes in East End and three in Bodden Town, and the Trust is now in the process of having these assigned to homeowners who have been waiting for this opportunity.

As it relates to the North Side Housing Development, Mr. Speaker, work is progressing well at the 12-acre site where we broke ground in December, for forty-five house lots. The subdivision plan was approved earlier this year, and the Trust is now concentrating on the installation of the water pipeline and road infrastructure. Mr. Speaker, we know the slowest point of a development is the infrastructure; once that is done, building the homes is not the problem.

Mr. Speaker, I am also pleased to share with honourable Members that we will shortly break ground for Phase III of the Lighthouse Garden development in West Bay—the ground-breaking was delayed due to the Islands' recent period of national mourning. Phase III will fully complete the 9.5-acre property that currently has thirty-six affordable houses for our Caymanian people.

Unlike previous administrations, Mr. Speaker, where affordable homes were built with cheap materials, the team at the NHDT have assured me that the new house models are being built with better quality materials and infrastructure. Some are also slightly bigger than the affordable homes built under previous administrations. Further, Mr. Speaker, the plan is to make those affordable homes energy-efficient and equip them with amenities that will contribute to their overall value. We take this approach because we are not just building homes. We are building communities [that] people can be proud of and thrive in.

Mr. Speaker, aligned with the goal to make home ownership more affordable, we are also taking steps with the rest of the PACT team, including my colleague, the Minister of Finance, Christopher Saunders, to make these homes more accessible. On the affordability front, the people-driven PACT Government realised that many of our Caymanians are earning less than \$3,000 per month (according to the data from the recent Census statistics from the Economics & Statistics Office) and cannot qualify or afford to borrow at the high lending rates at some financial institutions.

To assist with this, the NHDT Board approved an interest rate adjustment to match prime lending rates for seventeen tenants in the lease programme. The interest rate adjustment will be applied retroactively—

The Speaker: Honourable Minister, just for clarity, say the lease-to-own programme.

Hon. Johany S. Ebanks: The lease-to-own programme, sir.

The Speaker: Thank you.

Hon. Johany S. Ebanks: This is a measure that will greatly assist seventeen tenants in the East End, Wind-
sor Park, and the West Bay's Lighthouse Garden locations that were still in that lease-to-own programme.

All the existing tenants, who will receive the benefit of the interest rate and the retroactive adjustment, are over the age of 55 years. In keeping with the Government's policy to strengthen support to older persons, the decision was also taken to waive their closing fees, including administrative fees and valuation costs. Mr. Speaker, simply put, we are doing this because we have to help alleviate the burden placed on our senior citizens who have worked hard, made contributions to this country and therefore deserve to live in dignity and not under the constant worry of high fees and the high cost of living.

[Desk thumping]

Hon. Johany S. Ebanks: The question, Mr. Speaker, is why the previous administrations did not take these steps, which would have been simpler to implement when the country was in a good financial condition under their leadership?

[Inaudible interjection]

Hon. Johany S. Ebanks: Mr. Speaker, the first thing that many of them would say is that, "Oh, well, blame the Minister." It cannot be the Minister; it has to be supported by the government. If you do not have the support of the government you cannot get things done. I want them to clarify that before they go and say it was the Minister at that time.

Mr. Speaker, our PACT Government will continue to focus its attention on providing these opportunities during this term in office. I have instructed my Ministry, staff and the NHDT Board to be proactive and review the entity's initiatives, with a view to making the programmes even more beneficial to our people.

The Government-Guarantee Home Assistance Programme (GGHAM) is a priority area we will provide additional support for. The NHDT continues to administer the existing clients under the programme and provide administration for new applicants from the proposed new agreement. This will assist approximately two hundred families based on the headcount from the existing programme. There is ongoing and continued demand for this level of assistance and our plan is to reinstate this programme.

Mr. Speaker, concerning [the] Building on Your Own Property [initiative], the NHDT continues to assist applicants under this programme to construct their own houses in collaboration with the local banks. There are currently four applicants waiting to be considered, while two have been pre-approved and are seeking approval from their respective banks for the bridge financing. While the NHDT continues to concentrate its efforts building on vacant land at the affordable housing sites in North Side, East End and West Bay, it has been tasked to replicate these efforts in George Town by seeking new land to support housing development plans in this area.

Mr. Speaker, I want to let the people know that it is not only in the George Town area that we are seeking, but we are also looking into the Apple Blossom site, to have it go through the planning stages right now so that we can actually get homes started there, God's willing, before the end of this year if not in the first quarter of 2023.

Like my colleague, the Minister for Finance, the Hon. Christopher Saunders always says, "*it takes cash to care*," and the PACT Government has shown they care by making CI\$15 million available through the Cayman Islands Development Bank to Caymanian mortgage seekers at interest rates as low as 3.75 per cent for two years.

[Desk thumping]

Hon. Johany S. Ebanks: Now, Mr. Speaker, if the previous administration cared so much about the people as they are saying now, why didn't it occur to them during their administration that it was necessary to go beyond the talks about how much they cared, and do what the PACT Government has done by making options available with the Cayman Islands Development Bank?

[Desk thumping]

Hon. Johany S. Ebanks: These are challenging times, Mr. Speaker. Many Caymanians can't qualify at the high lending rates at some institutions, and as a result, are losing out on the chance to pursue their dream of home ownership.

Mr. Speaker, every Caymanian has the right to home ownership in this country. This is why our government has been working so hard on making home ownership a reality for Caymanians, not just talking about it like our friends who should be across the aisle...

[Laughter]

Hon. Johany S. Ebanks: We are doing something about it.

Mr. Speaker, to show you how all of our teams are linking our efforts and focusing on the same big picture: When we decided to build these homes, we took input from our colleagues about how we could have not

only strong, well-built structures, but sustainable and efficient as well. We did this because we wanted to remain in line with the spirit of the National Energy Policy.

Mr. Speaker, they forgot about the people from 2007 to 2012; they had over three hundred people who could have benefited from the GGHAM programme—for those that don't know what the GGHAM is, it was the Government Guaranteed Home Assistance Mortgage.

Mr. Speaker, one hundred sixteen homes were built from 2010 to 2020, yet the Opposition wants to say they have a vision for the people, they can lead the country better than the PACT Government.

[Inaudible interjection]

Hon. Johany S. Ebanks: One hundred sixteen homes from 2010 to 2020. Now Mr. Speaker, that was not during your time, sir.

[Inaudible interjection]

Hon. Johany S. Ebanks: Yes, it was at the start of your time, sir.

They should be ashamed of themselves, sir. Who were they governing for?

[Inaudible interjection]

Hon. Johany S. Ebanks: Mr. Speaker, under their watch, over \$14.5 million in planning fees [were] waived from 2013 to 2019. That could have built eighty more affordable homes; it could have gotten the East-West [Arterial] half-way to Bodden Town; it could have [covered] free lunches for the children. Where were their priorities?

This brings us to the Facilities Management Department, Mr. Speaker. One of the major projects the department is currently undertaking is the installation of a 100kw carport-mounted solar array at the Government Administration Building which is 90 percent near completion—by doing this, the PACT Government is doing its part to reduce some of the reliance on fossil fuels and harness clean solar energy.

Mr. Speaker, in saying this, I am reminded of one of the first bills I saw upon taking office. I was blown away by the amount of the electricity bill, which was a substantial amount. At that very moment, I knew something had to be done. Mr. Speaker, my main concern wasn't that the bill was a high government expenditure, but that it was ultimately a burden for taxpayers.

The hurricane-rated solar array therefore features some two hundred and seventy-six panels which will generate savings in energy costs and lessen the burden on the taxpayers. This solar initiative is expected to be connected to the Caribbean Utilities Company (CUC) power grid and participate in the core programme. Again, this type of execution requires

foresight, and the fact that it was not done in the previous administration speaks volumes about their lack thereof.

There's much more that I could say about this topic; instead, however, I wish to acknowledge the hard work of Honourable Premier Panton along with the Ministry of Sustainability, as they provide input and support for this project.

Mr. Speaker, our efforts to implement renewable energy at the Government Administration Building support the overall objectives of the National Energy Policy and complements ongoing initiatives to enhance the energy efficiency of public sector buildings. This year, the Department also completed a number of projects at the civic centres across Grand Cayman, which will make the buildings more accommodating while increasing efficiency:

- North Side Civic Centre: painting, flooring, ceiling and stage have been completed, [as well as] the installation of the electric vehicle (EV) charging station. The fence replacement is still in progress.
- End Civic Centre: the flooring, ceiling, A/C unit, stage and ducting, and the installation of the EV charging station are complete. Work continues on the bathroom renovations, and roof repairs are about to commence.
- Gun Bay Civic Centre: the facility has been equipped with new appliances, chairs and tables; LED lighting upgrade and entry door replacement. The basketball court has been resurfaced and new basketball hoops have been installed.
- Constitution Hall: procurement is in progress for the replacement of flooring and stage; upgrades to ceiling, lights and bathrooms and the creation of a small kitchenette—both the bathrooms and the stage will be disability-compliant.
- South Sound Community Centre: work will begin on roof repairs, window replacement, flooring, bathroom upgrades, and a general facelift.

When all of these works are completed Mr. Speaker, these centres will be more resilient, a feat that the PACT Government will have achieved working as a team in less than three years in office, when the same was not achieved during the previous administration's nine years-plus in office.

Mr. Speaker, for the Financial Year 2022/2023, it is anticipated that all the civic centres will be equipped with video and audio equipment, interior upgrades, automated security lighting and security alarm and camera systems, which will enhance the safety and usage of these centres by our people.

Moving now to the Department of Vehicle and Drivers Licensing (DVDL). Mr. Speaker, I am pleased to inform Members of this honourable House that with the support of the Public Works Department, the DVDL have completed the fit-out of its new licensing office located at the Jacques Scott Plaza in West Bay.

Expected to officially open this month, the new office will include some 1,300 square feet of accessible space with public restroom facilities and increased seating capacity for customers. In addition to the improvements in space capacity, the number of licensing officers at that location will be increased from two to four people. We are considering improvements at the Crewe Road location that could lead to increased customer service windows and overall efficiency.

As with DVDL, some expansion is taking place at the Department of Vehicle and Equipment Services. The priority project for this financial year is the completion of Phase II of the Department's redevelopment project. Mr. Speaker, we are making these expansions not for expansion's sake, but to improve the environment where our people are served, including making their experience better when services are being delivered to them. Good service—that part is priceless.

Mr. Speaker, due to the COVID-19 pandemic, Phase II of the project faced logistical challenges when sourcing materials, which caused some delays and set back the completion date to the end of 2022. Phase II of the redevelopment plan involves the construction and upgrade of a state-of-the-art 19-bay service facility capable of servicing and maintaining the various vehicles and equipment owned by the government that range from light duty to heavy duty.

Upon completion, the total floor space at DVES will be 34,025 square feet. It is anticipated that this expansion will lead to better turnaround repair times, increased working stability for large vehicles, and minimised employees' exposure to the elements. In addition, the new facility will ensure that government is in a position to support the innovation of new technology and the National Energy Policy, as we expand our fleet of hybrid and electric vehicles.

Mr. Speaker, I will now draw your attention to updates for the Department of Planning. For the first and second quarters of 2022, there were:

- 559 permits issued, estimated value exceeding \$428 million;
- 487 projects approved, valued over \$470 million;
- 227 certificates of occupancy issued, valued over \$137 million; and
- 6,693 inspections and 4,157 plan reviews completed.

I would like to thank the team members in the Department of Planning for their hard work in servicing the demands of the development industry—the numbers speak for themselves, sir; however, we recognise

the demand for services and will be working diligently to employ additional staff in all areas.

Mr. Speaker, this has been a challenge. We have seen the demand for such expertise worldwide, and have therefore developed a two-pronged strategy to enable success:

- We are looking to work with our counterparts in the United States to source personnel; and
- We are working with the local schools, including the Public Works Department Apprenticeship Training Programme, to train our young talent to fill the long-term demand.

Mr. Speaker, turning now to the Public Works Department (PWD). My Ministry continues to invest in the future of young Caymanians through the successful delivery of the Public Works Department's Apprenticeship Programme. A few weeks ago, I was very happy to attend and participate in the grand opening of a simulation lab, located in PWD's compound.

The lab will provide the apprentices with relevant training to one day impact our workforce in a positive way. Some of the workshop simulators that are in the lab include an electrical fabrication learning system, alternate energy learning system, industrial fluid piping system and an air conditioning and heat pump troubleshooting system. These will assist to immerse the trainees in real-world scenarios so they can be better prepared for the world of work.

Mr. Speaker, I was very impressed by the fact that the building that contains the simulation lab was renovated by the students themselves. This shows the capability of the students enrolled in the construction trade programme, and the contribution they will make to the development of our Islands.

I want to encourage the twenty-two apprentices, who recently enrolled in the Apprenticeship Training Programme to stay the course, strive for excellence, and take up their rightful place in our industries. With few locally-qualified job applicants to perform some specialised roles within the public and private sectors, it is important that we develop and mentor our Caymanian workforce to be employable.

Mr. Speaker, the Public Works Department continues to oversee a number of ongoing projects including:

- The Bodden Town Church of God Shelter;
- The Department of Agriculture Feed Storage Extension;
- The Bodden Town Primary School Multi-Purpose Hall;
- Phase II of the DVES Redevelopment Project
- The Old Man Bay Dock; and
- Various community and sporting facility upgrades;

- Two community parks in West Bay—which I think one of my colleagues mentioned earlier.

Mr. Speaker, one project that is close to my heart is the Old Man Bay Community Park. For too long, the North Side community had been promised this community area. The park, which is now in planning permission, will offer such amenities as restroom facilities, cabanas, and basketball and volleyball courts. In addition, we are about to commence the new jetty for the area with ample parking for boaters.

Mr. Speaker, the Kaibo Public Beach in North Side has been eroding for decades, did the previous government do anything to fix it? No. Again, the PACT Government has come behind and cleaned up the mess they neglected for years. The Ministry of PAHI, working alongside the DOE, has found a solution to the beach and should be starting work next year.

Mr. Speaker, I will now move on to another very important agency that I have responsibility for and which I mentioned briefly before, namely, the National Roads Authority.

Firstly, I want to thank the NRA team for their diligent work. In the case of hurricane preparedness, the NRA team worked together with various agencies to plan for each tropical storm and hurricane. This included hurricane preparedness exercises between the NRA and the Public Works Department, along with other government agencies and private partners.

By preparing long before storms, the NRA remains ready on an ongoing basis to act on their immediate priority after the storm, which is clearing all major roads of debris to allow safe passage for emergency vehicles and others who may otherwise have been trapped in the aftermath of the storm. Because of the NRA's work to clear drains periodically— (the schedule for which the NRA publishes on its website), and cleans drains in flood prone areas prior to storms, their work tends to mitigate against flooding, especially in flood prone areas.

As I said though, drains are not the only solution to flooding and we will continue to work on the overall stormwater management framework and explore options in addition to drains. They were also quick to react to the Savannah Gully issue, which they reported to the media to highlight to the public the serious concerns about the flooding, including the fact that it is saltwater flooding the roadways and neighbourhoods close to the Savannah Gully.

Mr. Speaker, I could probably stand here all day talking about the good work the NRA has been doing, but I will save it for another time—I just cannot help myself sometimes.

Moving on from the NRA's hurricane efforts, I would like to give a progress report on ongoing major road projects.

- The Airport Connector Road: The base fill elevation was completed to an average of

+2.5ft above sea level. The culvert installation works is completed ahead of schedule. The remaining base works and finishing layers for segment I of the road, including the construction of the second roundabout by Allie B Drive, will recommence this month.

- Phase 2, Linford Pierson Highway: The expansion is well underway with base works, drain wells and water mains, and other utility installations. Over the next two months, works will include formation of the new expanded roundabout as well as the clearing and filling of the route all the way to Outpost Street.

Mr. Speaker, Caribbean Utilities Company (CUC) plans to begin installation of underground electrical services this month; this project continues to be on track to be completed in January 2023.

Much work has been done throughout our districts, and for me to list all of them today would probably take another thirty minutes, but I will list some of the work you may have known about—in your area, sir, work has been redesigned into the entrance of Watercourse Road from the North West Point Road.

- Godfrey Nixon Extension: Work on Phase I of the Godfrey Nixon extension has recommenced with the curb work being installed. The next phase will be final grading in order for the road to be surfaced. Phase I of the project will take the road from North Church Street across Diaz Lane, to Gresscott Lane.
- Crewe Road/Hurley Merren Boulevard: This project involves full lane capacity upgrade of the highways between Kings Sports Centre and Admiral's Landing Development. This thoroughfare will be fully upgraded to include three lanes westbound including bicycle lanes and road shoulders. The segment between Grand Harbour and Red Bay roundabout is now 90 per cent complete.

The NRA's focus now is on widening both sides of the corridor between the Grand Harbour and CUC roundabout. In addition, we are looking to finalise the gazettal of the local access road. With Grand Harbour being such an important junction, the NRA has also engaged a consultant to complete a traffic study to provide recommendations for improvement of that area.

[Inaudible interjection]

Hon. Johany S. Ebanks: The AG just said, "Put a fly-over". I would have to check with the Minister of Finance, if he has the budget for it.

Regarding the traffic study, the NRA board has recommended that the traffic study be made available to members of the public and discussed, to determine what suits the needs and best interests of road users in

that area—and I think this is the right and transparent approach, Mr. Speaker.

- East West Arterial: As I mentioned, the NRA initiated a meeting with the DoE and agreed with the DoE that an Environment Impact Assessment (EIA) was required under the NCC Directive. After review by the Environmental Assessment Board—chaired by the DoE—the EIA consultant has now been chosen and the award of the contract has been approved by the Procurement Committee.

The NRA is committed to following the legal process, Mr. Speaker. The EIA consultant's work should take twelve to sixteen months. The EIA will be the driving mechanism to mitigate the concerning impacts on the environment, storm water management and construction ability. As I mentioned, public meetings will be held and members of the public will have an opportunity to submit comments in writing to the DoE at the relevant time as required by the NCC Directive.

In addition, Mr. Speaker, some thought is being given to, perhaps, increasing the usage of solar panels along our roads, which should help to reduce the approximately \$1 million per year that the government pays in electricity bills for streetlights.

These are exciting times, Mr. Speaker.

Mr. Speaker, before I wrap up this update, I wish to highlight that we are making the following improvements in connection with the revitalisation of George Town.

Under the supervision of the Town Manager, Mr. Colin Lumsden, we are enhancing the infrastructure and new landscaping. Mature trees have already been planted throughout the project area to create additional shading, including two 60-year old Silver Thatch palm trees—

[Inaudible interjection]

Hon. Johany S. Ebanks: I do not know how they figured out the age, but that is what I have been told, sir.

Mr. Speaker, another project that previous governments only talked about and shook their finger at it. What is the PACT Government doing? Getting it done.

- Scranton Park: The first phase of the works, which included perimeter fencing, rock reinforcement, site fill and rough grading have been completed. We have agreed with my good friend, the Hon. Kenneth Bryan, that the Ministry of Tourism will proceed with the final phase of the development.

Mr. Speaker, my Ministry is also collaborating with the Ministry of Sustainability to provide Wi-Fi access charging benches throughout the George Town area. These benches will be the first of their kind in the

community and will further enhance our public spaces by providing free Wi-Fi and phone charging to anyone who connects. By providing these benches, we will offering residents access to information and services to those who may not otherwise have access. This will also be a valuable service to visitors to these Islands who may need to connect conveniently and quickly to get in touch with their loved ones at home.

Mr. Speaker, my Ministry and the PACT team have been very focused in what we want to achieve in the interests of the people and to achieve outcomes. As you can see, we have made steady progress over the past year and a half in that regard.

I want to, again, thank every single member of staff in the Ministry for all your contribution to the building and development of these Islands; the people, for giving us the opportunity to serve them; and you, Mr. Speaker, for the opportunity to provide this update on some of the many initiatives of the Ministry.

Mr. Speaker, like others whom I have met during my time as Minister, I want to see our people succeed. This will only happen, Mr. Speaker, when we all work together.

Mr. Speaker, I have one more topic to touch on—I touched on it earlier, but I feel it is necessary to [mention] here today, if you would allow me to.

Mr. Speaker, Friday afternoon the Opposition held a press briefing, and the Member for Red Bay said that he had talks with me about joining the Opposition. Mr. Speaker, this is so far from the truth that it passes the boundaries of reality. Mr. Speaker, the Member for Red Bay has told the people of these Islands an untruthful statement. That I, Jay Ebanks, contacted him about joining? The Member for Red Bay must be getting dementia.

Mr. Speaker, if I wanted to join the Opposition it would not be the Member for Red Bay that I would contact. The Member for Red Bay is only a puppet on a string; the shadow of the person who is really in charge. We know who the real king maker is, sir. The Hon. Kurt Tibbetts is the real king maker of the group, so I don't want the Member for Red Bay to think that I would go to him to have any discussions.

Mr. Speaker, the Leader of the Opposition had the nerve to call this honourable House a kangaroo parliament; well, now that the kangaroos are not in attendance, let us move on to the Government's business—since it was a kangaroo parliament when they were here.

Thank you so much.

The Speaker: Honourable Member, I want to take this opportunity to thank you for the things accomplished in the district of West Bay as a whole, but [more so] in my constituency.

In particular, the traffic management matters on the North West Point Road that you mentioned, which bounds and goes into Watercourse Road—not yet completed, but much work has been done; and also

the North West Point Road, the traffic calming and management in the area of the Wesleyan Church and School. The entrances to those places, and the new entrance of the Grace Christian Academy. All on the North West Point Road, very much a heavy traffic area and it doesn't look like people are taking an understanding, and are driving like crazy. Our roads are not built for that, and in recent times those two areas in particular, are very much in traffic since there is so much development on that part of Grand Cayman and that part of West Bay.

While you talked about the flooding areas and storm-water management, I want you to please remember the area of Schooner Lane on Boatswain Bay, which you visited with me. That's an area that has severe flooding at times, simply because the water drains off into that area from north of Inferno all across the well-built area now, with many homes on Schooner Lane; so I would ask that you please remember that.

I hope to be on the Floor soon, where I can put my voice to certain things too.

[Inaudible interjection and laughter]

The Speaker: I think now is an opportune time. I think we should take the evening break for fifteen minutes, so we shall suspend proceedings until 3:15.

Proceedings suspended at 3:00 pm

Proceedings resumed at 3:38pm

The Speaker: Please be seated. Proceedings are resumed.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTER OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

FIRST READINGS

TRAFFIC (AMENDMENT) BILL, 2022

The Speaker: The Bill has been read the first time and is set down for the second reading.

MENTAL HEALTH (AMENDMENT) BILL, 2022

The Speaker: The Bill has been read the first time and is set down for the second reading.

MENTAL HEALTH COMMISSION (AMENDMENT) BILL, 2022

The Speaker: The Bill has been read the first time and is now set down for the second reading.

FINANCIAL ASSISTANCE BILL, 2022

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

ACCOUNTANTS (AMENDMENT) BILL, 2022

The Speaker: The Bill has been read the first time and is set down for the second reading.

LIMITED LIABILITY COMPANIES (AMENDMENT) BILL, 2022

The Speaker: The Bill has been read the first time and is set down for the second reading.

EDUCATION (AMENDMENT) BILL, 2022

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

SECOND READINGS

TRAFFIC (AMENDMENT) BILL, 2022

The Speaker: The Honourable Premier.

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

Mr. Speaker, I rise to move the second reading of a Bill shortly entitled the Traffic (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Will the Honourable Premier speak to the Bill?

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

Mr. Speaker, this short Bill consists of three clauses.

The first clause is the short title.

The second is the "**Amendment of section 2 of the Traffic Act (2021 Revision) — interpretation**", and it reads that:

"**The Traffic Act (2021 Revision)** is amended in section 2 by deleting the definition of the words "**prescribed limit**" and substituting the following definition —

" "**prescribed limit**" means —

- (a) **thirty-one microgrammes of alcohol in one hundred millilitres of breath;**
- (b) **seventy milligrammes of alcohol in one hundred millilitres of blood; or**
- (c) **Ninety-four milligrammes of alcohol in one hundred millilitres of urine, or such other proportion as may be prescribed by regulations;**".

The third clause of the Bill deals with transitional provisions and it provides that:

"**All proceedings in respect of offences committed or alleged to have been committed against or under section 82, 83 or 84 of the Traffic Act (2021 Revision) and which commenced prior to the commencement of this amending Act shall be continued as if this amending Act had not come into force.**"

Now, Mr. Speaker, why are we bringing this amendment?

Mr. Speaker, obviously the intention is to change the prescribed limits in respect to the blood alcohol concentration limit found in a person's breath, blood and urine whilst driving a vehicle, attempting to drive a vehicle, or supervising a learner driver.

Mr. Speaker, as we are all aware, we have had an alarming and unacceptably high number of road safety accidents in this country, some of which have resulted in fatalities. The annual numbers seem to be increasing, no doubt partly a result of the volume of traffic on the roads; but Mr. Speaker, it seems that we have some particularly bad habits which have developed over time in relation to—I would say—road courtesy, road etiquette and probably, if we are being honest, degradation of some driving skills as well.

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Mr. Speaker, I have previously indicated to Members of this honourable House that one of the ways that the Government would address this issue would be by lowering the blood alcohol limits in the Traffic Act. Mr. Speaker, the PACT Government is now delivering on that promise.

Mr. Speaker, with the current blood alcohol concentration limit being 100mg of alcohol in 100ml of blood or 0.1 per cent, the Cayman Islands currently has some of the most lenient drunk driving legislation in the world.

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Lenient.

Mr. Speaker, that is one ranking we should not be proud of and, unfortunately, these things are tracked in other parts of the world. For example, Mr. Speaker, the UK Driving Instructors Association tracks these rankings, ratings and prescribed limits. That's the United Kingdom's largest professional body for driving and rider training, education, support and advice.

The research on their website has provided a comparative analysis which tells us that the average worldwide blood alcohol concentration, or BAC limit, is actually .06 per cent. It means the average prescribed limit is actually 60 per cent of our currently prescribed limit; therefore we are considerably higher than the average around the world.

Mr. Speaker, it becomes starker when we look at the average European blood alcohol concentration limit of .05 per cent, which obviously means our limit of .1 per cent is twice the European average is for blood alcohol concentration.

Mr. Speaker, we have a company here that brews beer; we have companies that have spirits made elsewhere and they're labelled here, but these countries in the old world, are where much of the technology to manufacture alcoholic beverages comes from, Mr. Speaker, and I know that they don't drink any more or less than people in the Cayman Islands do. If they recognise that blood alcohol concentrations need to be controlled and reduced significantly in order to send a strong message that driving under the influence is not acceptable, then we must do the same.

Mr. Speaker, we all have had experiences—some of us, unfortunately, with family members who have died on our roads because somebody who was driving them was over the legal limit, or somebody who crashed into them was over the legal limit; and I don't know about any of my colleagues, but I have seen far too many instances where people who I went to school with, whom I knew very well, loved and cared for, their lives ended because of somebody who was drunk driving.

Mr. Speaker, as a society, we have tolerated drunk driving for too long—and it's not a Caymanian thing, Mr. Speaker; it's a everybody-on-the-roads thing. If we have a limit which is double what the average European limit is, and 40 per cent higher than what the average worldwide limit is, then that is sending a signal that we are more tolerant of drunk driving, so Mr. Speaker, we need to send a very clear message.

When I first mentioned this in this honourable House, I think it was November last year, I couldn't have anticipated then, and I certainly would never have wanted to be right even if I was speculating, that instead of being on track for an average year for the Cayman Islands average, (over the last three or four years) of around eight or nine people losing their lives on our roads Mr. Speaker, we would now be at thirteen—and we still have the better part of three months to go. Mr. Speaker, there is a tragedy going on in our roads, and

alcohol plays too significant a role in it. We have to send a very strong message.

The Government, through the Ministry of I guess it is Infrastructure?

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Has a committee to review the Traffic Law more broadly, and that committee has been established; but, Mr. Speaker, this particular item, the blood alcohol concentration issue, has been identified and established as a significant causative factor and it is one of the recommendations that came out of a presentation by the National Roads Authority to our National Security Council.

I think that presentation was done towards the end of last year and the National Roads Authority is obviously very concerned about safety on our roads but this is one of the specific items that they identified as a problem because:

- You can build roads as straight as you want;
- You can build them with as much safety features as you want;
- you can build them with the least number of curves;
- You can build them with banks to help cars stay on the road

However, you cannot—you cannot—build them to maintain safety, when somebody chooses to impede themselves with alcohol or drugs.

Mr. Speaker, European countries, in terms of comparison: Scandinavian countries such as Norway and Sweden, that have some of the highest ratings of gross national happiness—if they don't use that metric, they certainly use other metrics to identify when people are happiest—those countries have blood alcohol concentration limits at .02 per cent; 1/5 of the Cayman Islands'.

Mr. Speaker, when examining the World Health Organization's [WHO] data on legal blood alcohol limits that was last updated in 2018, we can also see that Cayman has the most lenient blood alcohol limit in any of the CARICOM countries where there are specific prescribed limits. There is only a small number where there is none, and many of them, are establishing limits themselves—they are in the process of doing so.

Mr. Speaker, as one of the CARICOM States, Suriname has the lowest blood alcohol concentration limit of .05 per cent; so they are obviously more aligned with the European standards. The United States, the United Kingdom, Jamaica, Bahamas, all have limits of .08 per cent. Our proposed limit is .07 per cent. We are putting ourselves between the European average and the average in some of the countries that are closest to us, but Mr. Speaker, there is nothing wrong with that, because we must send a strong signal that the issues that we have with road traffic accidents in the country—

not all of them result in death, Mr. Speaker, but the number of accidents is far too high for this little island.

In 2021 for example, officers attended 2,633 motor vehicle accidents. Let that number sink in: 2,633 motor vehicle accidents—that was an increase of 466 compared to 2020. On average, Mr. Speaker, we have around 51 motor vehicle accidents per week in the Cayman Islands and, again, we are now at 13 road deaths from 12 motor vehicle accidents. Admittedly, not all of those related to alcohol, but too many of them are.

Mr. Speaker, I will say to my Honourable colleagues and the public: There is no price you can put on one life.

There is no price, you can put on one life. The culture of drinking and driving in the Cayman Islands must change and we must send a strong signal that this is an unacceptable public health hazard, especially during the festive season and we are coming up to that season, Mr. Speaker. I don't know about anybody else, but I always say a prayer and I breathe a big sigh of relief when I wake up after Christmas Eve and I don't hear of any accidents claiming the lives of any of my friends, my family, my fellow citizens of the Cayman Islands, but Mr. Speaker, we all know that too often that does happen. It happens too often, so we have to send that strong signal. We have to make sure that we have a reset on this.

Mr. Speaker, the National Drug Council has been running campaigns for decades. They've got things like the Purple Ribbon Pledge, Designated Driver, New Year's Eve, Purple-Ribbon Bus, but Mr. Speaker, even with those facilities open to them, even with it becoming much more acceptable for somebody to say, *"Okay, I won't drink, I'll be the designated driver"*, we still have people making shocking decisions to drink and drive, and we have to change that Mr. Speaker. We must, must, change that.

Mr. Speaker, in January of this year, the *Cayman Compass* reported that between the 2nd December and the 2nd January—so, one month—during its Operation Winter Garden Holiday safety exercise, the (Royal Cayman Islands Police Service) RCIPS recorded a total of 228 collisions and 24 drunk drivers were apprehended by police.

Two hundred and twenty-eight collisions during that one-month period and 24 drunk drivers were apprehended by police. Now, we know they don't have 100 per cent success rate, we don't have enough police to track everybody who is drunk-driving, so we know that, to some extent at least, that may be the tip of the iceberg, but Mr. Speaker, this amounts to roughly seven collisions per day over that period, some of which were logged as hit and run accidents.

Mr. Speaker, these types of behaviours and these harrowing statistics are not acceptable in our country. Not a country that we are trying to make better, stronger, to improve the lives of our people, to improve public health statistics, to improve the potential of our people. Mr. Speaker, we can't have lives being ended

because of people making decisions that are rash, unreasonable or unfair.

Mr. Speaker, I am not going to take this much longer, but I would simply say to this honourable House that I have outlined the reasons why we must make this change and I know that everybody understands the implications. Yes, there will be people who will have to be more careful about drinking and driving, they might have to have one less drink, but Mr. Speaker, that is precisely the kind of thing we need people to do and think about. We need people to take a different approach, to think more carefully about it and, if at all possible, avoid drink-driving completely.

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: Have somebody drive for you. You can all have fun. I don't drink myself, but that doesn't mean that other people can't enjoy a few drinks here and there, enjoy the holidays and get home safely by arrangement with somebody else.

Mr. Speaker, the Government intends to ensure that public service announcements go out consistently over the airwaves, over social media, any medium and media that we can, to ensure that people adhere to the new standard and make the right decisions about their own safety and about the safety of the lives of our people, and in some cases, the lives of people who are visiting this country as well.

Mr. Speaker, with that, I commend this Bill, with the short amendment, to this honourable House, and I hope Members will find it appropriate to support the amendment, sir.

Thank you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Last call, does any other Member wish to speak? The Honourable Deputy Governor.

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

Allow me to briefly say a few words in support of this Bill.

Mr. Speaker, I want to sincerely thank the Premier and the Government for bringing this (Amendment) Bill. As our Premier said, this Bill can save lives. Mr. Speaker, I want to go over a few statistics—the Premier mentioned some, but I want to add a few.

Last week, at the briefing that we have with our RCIPS members, so this was in late September, we were advised that year to date, the RCIPS had recorded 2,678 incidents of speeding, including 100 in a two-week period; 2,678 incidents of speeding. Year to date, again, 1,918 motor vehicle accidents were reported, including 103 in the past two weeks. 1,918, Mr.

Speaker. I look back at 2012: In 2012—for the entire period of 2012—we had 808 motor vehicle accidents and 10 years later, before the year is out, we have had 1,918.

Mr. Speaker, probably the most crucial figure of all which the Premier mentioned are the twelve fatalities that we have had this year. Well, twelve fatal accidents involving thirteen—13 deaths. We will recall the sad case of the father and child that died. There were three deaths in 2012—three. We have now had thirteen. We had nine fatalities in 2021 and nine fatalities in 2020. We are at thirteen.

Mr. Speaker, I look back at the stats for 2021. In 2021, 312 summons were issued in relation to Driving under the Influence (DUI), an increase of 84 [drivers] or 37 per cent, compared to 2020, so in 2021 we had 312 people that were taken to court for Driving While Intoxicated (DWI).

Mr. Speaker, approximately 26 per cent of all DUI offences in 2021—and Mr. Speaker, this is important—involved a driver that was at least double the drink-drive limit; in 2 per cent of the DUI cases, the driver was three times the drink/drive limit. Approximately 36 per cent of all DUI offences in 2021, also involved a motor vehicle accident. As the Premier said, in 2021 there were 2,633 motor vehicle accidents, an increase of 466 or 22 per cent, compared to 2020. An average of 51 motor vehicle accidents per week.

Mr. Speaker, while we had six deaths in 2021, 21 persons suffered serious injury and 292 persons suffered slight injuries as a result of a motor vehicle accident. Mr. Speaker, I think we all agree these are frightening statistics.

Mr. Speaker, while we cannot control accidents—accidents happen, you drive down the road with all due care and attention and someone runs into the back of you. Nothing we can do about that. We can be careful but, really, sometimes it is unavoidable due to someone else's carelessness or negligence... or something else; but Mr. Speaker, the two things that we have total control of as drivers are our speed and whether we drink and drive. Those are things that we, not someone else, don't blame anyone else, these are the two things that you as a driver have total control over. Mr. Speaker, there is no reason to drink and drive. If you drive, don't drink.

Mr. Speaker, when I was 22 years old I stopped drinking alcohol—I had my reasons; so this is one person, Mr. Speaker, that you are never, ever going to hear about drinking and driving. I told my son and daughter last Thursday night, we were celebrating my wife's birthday and for the record, I had a Diet Coke.

[Laughter]

The Deputy Governor, Hon. Franz I. Manderson: My children were talking about why I don't drink and I said to them, *"Listen, there are many reasons, but just think of it this way: of all the speeches that I have ever*

listened to in my life, from world leaders and other successful people; you hear them giving speeches about what made them successful. Some of it was their education, their experience, their role models, their teams, people who assisted them. Many people thank the Good Lord for their success. No one has ever thanked alcohol."

[Laughter]

The Deputy Governor, Hon. Franz I. Manderson: I have never heard anyone get up and say, "The reason that I am successful today is because I drank alcohol."

[Laughter]

The Deputy Governor, Hon. Franz I. Manderson: I'm told that maybe I am wrong but anyway...

Mr. Speaker, there is no reason that we should be drinking and driving, there is just no reason.

Mr. Speaker, something that again caused me to rethink my drinking, was what my mother told me when I was a teenager—and Mr. Speaker yes, I was a bit reckless when I was a teenager. I definitely drove fast sometimes, and whenever I was leaving the house my mother used to say to me, *"Franz, be careful"*, and I used to say, *"Mom, you know, when my time comes, I am going to go,"* and she said, *"Yes, that's true, but I want you to remember this: If the Lord is not ready for you, there are worse things than death"*. I said, *"Mom, what do you mean?"* She said, *"Well, suppose you kill someone or suppose you are paralysed; you lay down and you look up at the ceiling all day, there's worse things than death,"* and she was right, Mr. Speaker.

[Inaudible interjection]

The Deputy Governor, Hon. Franz I. Manderson: All of those lessons, Mr. Speaker, drove me to the conclusion [that] I don't really need alcohol in my life.

Mr. Speaker, I see our young people today—actually last night, driving on West Bay Road, on a motorcycle, I think they were standing on a motorcycle driving down the middle lane of the road. Mr. Speaker, that's not cool. That's not cool. Remember when the accident happens, it's too late. When you knock someone down, or you get hurt, it's too late.

We want to make sure that our people get the message and that's what this Bill does, Mr. Speaker. The government cares about its citizens and the people who live here, and we want to do everything we can to have a year where they are zero motor vehicle fatalities. Zero.

Mr. Speaker, I looked back; it took me a long time, and I really didn't find a year when we didn't have fatalities, but that should be our goal as our beloved Cayman Islands—small. We should have zero fatalities. There is no way that we should have 1,918 motor vehicle accidents this year. Absolutely no way. Again,

these are things that we control, Mr. Speaker. We can't blame other people for this. You are in control of your vehicle and you should not get into that vehicle if you have had alcohol. Don't say, "*Oh well, you know, one drink is enough.*" My view is, do not drink and drive, period.

Mr. Speaker, I want to close by thanking the Government again for bringing this. I want to mention His Excellency the Governor, who was very passionate about this. As the Premier said, it was raised in the National Security Council, and the Governor made it very clear that he felt that the Government should take action to reduce the number of fatalities and the Government has done a very brave thing, not necessarily popular thing, but definitely the right thing in bringing this amendment.

Mr. Speaker, I repeat: We blame other people for many things. We say people have come here and done this, people have come here and done that, people have taken things from us. I don't buy any of those things. I think we are in total control of our destiny; but again, drinking and driving is something that you, as an individual, have total control over. Do not get behind the wheel of a car if you have had a drink, and that solves the problem.

Mr. Speaker, I thank you very much.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Honourable Minister for Commerce.

Hon. André M. Ebanks, Minister for Financial Services and Commerce, Elected Member for West Bay South: Thank you, Mr. Speaker.

Very briefly, to commend the Honourable Premier for bringing this Bill forward. I agree wholeheartedly, wholeheartedly, with the facts and arguments he put forward, and those of the Deputy Governor and I also want to add a human touch to this because I know, for West Bay South, we have had families affected by these fatalities and there is nothing worse than going to a funeral service where the child has gone before the parent over a senseless road fatality.

This Bill may be physically small in size, but it will have an enormous beneficial impact—and no, it is not all as the Honourable Premier alluded to. Led by the Minister for Infrastructure, there is more work to be done to increase road safety, but this legislation should symbolise what we should stand for in terms of road safety under the simple principle that you can drink. You can drive, you just can't drink and drive. It's as simple as that.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Honourable Attorney General.

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

Just about everything that needs to be said has been said, Mr. Speaker, but I certainly, understandably, would want to add my voice to what has been said before as it relates to this timely, if I might call it, recalibration.

We are hoping that it will act as a deterrent, albeit some might say, "*Well, it is a small gesture,*" but the fact is Mr. Speaker, that we are hoping it will act as a deterrent to deal with some of these inexplicable behaviour that we are experiencing on the road.

In my view, the drinking and driving is sort of a microcosm, if you will, of the larger issue—a total absence of due care and attention by some of our road users.

Mr. Speaker, there is a lack of civility these days. Persons driving and cutting-in in front of each other, flatly refuse to allow others to get out or egress onto two main roads people driving while using their cell phones, some people driving and doing their hair—

[Laughter]

The Attorney General, Hon. Samuel W. Bulgin: —in the vehicle, Mr. Speaker, is quite a common occurrence.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: It is a fact. Persons driving, Mr. Speaker, refusing to use their indicators when cutting in front of you or using roundabouts; all of these little things—and then Mr. Speaker, you can see it: there is this sort of a pent-up anger. This road rage is just inexplicable, so there is a confluence of attitudes, poor behaviours, contributing to the carnage and I know the word is all relative, but in the context of the Cayman Islands, some of what we are seeing is really carnage on our streets, and so the amendment itself, Mr. Speaker, is very timely.

You should not be consuming alcohol and sitting behind a steering. It is a very selfish thing to do because you have the potential of causing not just injury and damage to yourself, and your own vehicle and property but to others. It is something that we ought to discourage, Mr. Speaker, and the hope is that this amendment will help.

You know, Mr. Speaker, you might have heard about it as well. There are those who, when they behave in this sort of anti-social way on the road, they take umbrage to the police speaking to them about it. I know, Mr. Speaker, we do have some police officers who might not have been covering themselves and the RCIPS in glory, in terms of their tone, but the fact of the matter is that there are persons who are involved in this sort of terrible behaviour on the road and take exception to police officers talking to them about it. You hear them calling on the radio, and questioning why the

police is not going and looking for thieves and murderers and all that sort of thing. You're not supposed to speak to them about their behaviours.

There are others who question, well, you know, when these bad driving is taking place, where is the police, why is there not a police officer? Well, Mr. Speaker, my response to that is, "*Well, you cannot have a police officer at every street corner, cannot have a police officer at every stop sign*"—and why do I need a police officer to tell you that you must drive responsibly on the road? That is something that you ought to know.

We have these issues on the road, Mr. Speaker, and we need to take stock. Each time something happens and a death occurs, we speak about it for a day or two, and then it's back to normal and many times they are people who imbibe and they are rushing to nowhere. We are a very small Island, not sure where they are rushing to, and you travel on the streets and the traffic, it is three lanes of traffic, but for some reason one lane is not moving for a minute or so—not moving fast enough—and persons have absolutely no patience.

They cannot stay in that lane if it is not moving for a minute, they have to cut into another lane, and as soon as that other lane that they just cut into stops moving, they cut back into the lane that they just left. Those are just some of the annoying things that you experience on the road as a motorist, and Mr. Speaker, don't ever try to speak to anybody, because it is—I mean, they use some of the most vulgar language to describe you, so you must just accept it as the norm.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: Fortunately for me, I don't have road rage, Mr. Speaker. I don't get involved in an argument. I look, I smile, I roll [up] my window, or I go about my business. I don't ever answer back, Mr. Speaker.

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: Yeah, I don't respond; but the point I am making, Mr. Speaker, is that this is a small gesture and I am hoping that this along with other initiatives that are being worked on, plus our own sense of responsibility, will help to curb the bad behaviour that we are experiencing on our roadways, and help to cut down on the incidences of death and damage that we have seen.

Mr. Speaker, too many young lives have been lost as a result of this, so I certainly want to, again, commend the Honourable Premier for this timely amendment; it will certainly, Mr. Speaker, make the police's work much easier.

The Honourable Deputy Governor spoke about the numerous discussions we have had at police briefings and other discussions. They have been asking,

pleading, for these amendments, Mr. Speaker. We need to equip our police officers so that they can now go and do their job and hopefully, the motorists will show some civility and some respect, and some patience on our roadways.

Thank you, Mr. Speaker

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Last call, does any other Member wish to speak?

If not, I call on the Honourable Premier for his right of reply.

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

Mr. Speaker, I want to give my heartfelt thanks to those Members who have spoken in support of this, starting with the Honourable Deputy Governor, my colleague, the Minister for Financial Services Member for West Bay South and the Honourable Attorney General.

I thank them all, sir, and I thank all other Members in this House today who have not spoken because I know they support it as well. I know they support it as well; I am absolutely confident in the tacit support of other Members.

Mr. Speaker, I just want to say very briefly that one of the really important things about this for me is reflected in the World Health Organisation's statistic that traffic accidents and traffic accident injuries are the leading cause of death among young people in the world and that, probably, is not at all dissimilar for the Cayman Islands, Mr. Speaker—and I will quickly tell you a story that I experienced.

As a young boy I had a friend whose mother approached me and said, "*I know you're probably a little bit... you seem to behave in a way that is a little more mature, perhaps, and you don't take the same kind of chances. Can you speak to my son, and see if you can encourage him to change his perspective and not take so many chances—to not be so carefree and fun-loving?*"; and Mr. Speaker, I did so, but I never got back and to speak to the mother to say that we had that conversation, because it wasn't too long after that I was awoken by my mother early in the morning to tell me that this young man had died in a car accident under the influence. I have carried that because I felt that I somehow failed that mother. I went to see that mother, and I remember her anguish and her grief. I remember her saying to me, "*I always wondered what mothers feel like when they have to go through this.*" She said, "*Now I know.*"

Mr. Speaker, that is something that I have carried with me because I felt like I failed. I was a young man, but I felt like I failed that mother somehow, like if I had just tried harder, she wouldn't have that grief, Mr. Speaker. I could tell you the connection with a Member of this House today, but I won't.

Mr. Speaker, I just want to say that these are real consequences and we have got to try our hardest to make sure because we, as a Government, want to feel that we are doing everything we can to promote the health and safety of our young people. Even though, as has been noted, this may not be the most popular thing to do, it is the right thing to do and as the Premier, I felt I should bring it and carry the burden of it, if it's not the most popular thing to do.

Mr. Speaker, this is not just about death either, though, because while there is emotional and other immeasurable trauma, there are also things like financial implications for families. I mean, I am sure none of us have to think very hard to think about families that have had their financial situation decimated by injuries from accidents, DUI accidents specifically. Then, if you add up all of the issues around it—the labour force implications, impacts on business communities, on loss of productivity.

Mr. Speaker, those things are important and they are relevant, but I will go back to the original point, this is about all those things but, importantly, it is about saving lives and—even more importantly—statistically, it is about saving young lives. So Mr. Speaker, I want to thank all Members as I said, who have spoken in support.

I am confident that we will have the support of this House, all of those who are present, voting in support of this.

Thank you, sir.

The Speaker: I am not supposed to do this, but I will do it. I know how you feel, because I've been down that road.

When my son, who is a man with four children now, used to stay out, I never slept; and now, I have a 20-year old grandson who drives; and I think my 17-year-old grandson might have just gotten his full licence today, so I quite understand. I have been down the road you have been, having to give advice. Unfortunately, the young person didn't take it and ended up the same way you just spoke about.

The question is that a Bill shortly entitled the Traffic (Amendment) Bill, 2022, be given a second reading. All those in favour please say aye, those against, No.

AYES.

The Speaker: That Ayes have it.

Agreed: The Traffic (Amendment) Bill, 2022, was given a second reading.

The Speaker: It is a little bit past the hour when we would break for the adjournment.

Mr. Premier, can you move for the suspension of the Standing Orders.

Suspension of Standing Order 10(2)
(For the business of the House to continue beyond the hour of interruption)

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

Mr. Speaker, I move the suspension of Standing Order 10(2) in order for the business of the House to continue beyond the hour interruption.

The Speaker: The question is that Standing Order 10(2) be suspended to allow the House to continue after the hour of 4:30pm. All in favour, please say Aye, those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: The Honourable Minister of Health.

Hon. Sabrina T. Turner, Minister for Health and Wellness and Home Affairs, Elected Member for Prospect: Mr. Speaker, I rise to move the second reading of a Bill titled Mental Health (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Honourable Minister speaking thereto?

Hon. Sabrina T. Turner: Yes, thank you.

Before going into the Bill, Mr. Speaker, I humbly seek your indulgence to give a public statement to mark that today is World Mental Health Day; it is fitting that I have two Bills, on the Order Paper, addressing the very subject matter; so, for your indulgence, I thank you.

[Desk thumping]

**Hon. Sabrina T. Turner's Statement
on World Mental Health**

Hon. Sabrina T. Turner: Many are likely aware that every 10th October, nations across the World Celebrate World Mental Health Day as a way to raise awareness on mental health issues and mobilise efforts in support of mental health.

These efforts are all incredibly important, and many government departments and statutory authorities such as the Department of Counselling Services, the Family Resource Centre, and the Health Services Authority as well as Non-governmental Organisations (NGOs) and private sector partners around our Islands, contribute daily to awareness and education on mental health as well as support services available on our Islands. Today, I would like to broaden the discussion on mental wellness.

The goal of my Ministry is to strengthen public health nationally. When we speak of public health, we are referring to the specific science of protecting, promoting and improving the lives, health and wellness of families and communities via prevention, education, access, and personal empowerment. Mental health is a significant component of public health, as it has a tremendous impact on the way people make decisions, handle stress, and relate it to others.

All of these things also pass on from generation to generation, Mr. Speaker, as children and youth learn how we model and mould these behaviours. Poor mental health impacts our ability to maintain relationships. It can lead to social isolation. It impacts our performance at school and work and, as was highlighted in last month's Recovery Month 2022, there is a clear relationship between poor mental health and substance misuse; so, how do we broaden the discussion on mental wellness?

The first step is to simply acknowledge that mental wellness is for everyone and therefore should be a component of every effort to improve people's lives.

Mental wellbeing must be cultivated in our schools, as we work to create emotionally supportive environments that foster learning opportunities for all children; mental wellbeing must also be cultivated in our elderly homes and service for seniors to ensure that we address problems like isolation, and maintain our elders' quality of life in their golden years. Mental wellbeing must be present in violence prevention initiatives. Mental wellbeing must be cultivated in our workplaces, whether they are offices, tour boats, taxicabs or restaurants, to proactively work towards better work-life balance and, of course, mental wellbeing must be a component of all aspects of health care.

Given what we know about mental health issues influencing the onset, development, and effects of physical illnesses, it is by recognising that we have room to cultivate mental wellbeing in multiple settings, and embracing the opportunity to do so, that we will reach our goal to have a happier, healthier and more resilient population. Let us take the first step to make mental health and wellbeing for all, a global priority by prioritising it in our homes, schools, workplace and other spheres of influence.

Thank you.

MENTAL HEALTH (AMENDMENT) BILL, 2022

Hon. Sabrina T. Turner: Mr. Speaker, going on to the Bill that is before this honourable House. In 2013, the Mental Health Law (1997 Revision) was updated so that it would meet residents' needs, provide adequate safeguard for detained patients, and reflect the advances in psychiatric treatments. Since the law was updated in 2013, the Mental Health Commission identified various gaps within the legislation and the regulations,

that were either inconsistent with practices, or just required new and updated forms for clarity.

Mr. Speaker, the last comprehensive review of the legislation that commenced in 2010 included a cross section of stakeholders, namely, the Ministry of Education, the Department of Children and Family Services, the then Her Majesty's Northward Prison Services, Health Services Authority, private mental health counsellors, National Drug Council, Royal Cayman Islands Police Service, Department of Counselling Services, Portfolio of Legal Affairs and the Department of Community Rehabilitation Services.

Mr. Speaker, at that time a review committee was established as well, by the then Minister with responsibility for Health. The extensive revision and update conducted in 2013 repealed the old law with the current law which meets the needs of our mental health patients, and complies with the human rights provisions in accordance to the Cayman Islands Constitution 2009. In that update, there were several new detention orders, treatment orders, a temporary holding power, updated definition and the establishment of a Mental Health Commission.

Mr. Speaker, please allow me to now speak in more detail to the specific proposals contained in the Mental Health (Amendment) Bill, 2022.

Clause 1 - provides for the short title of the legislation and the commencement provision.

Clause 2 – interpretation, provides for the introduction of new definitions in order to modernise the legislation. Now, the new definitions such as “emergency detention order”, “observation order”, “order for protective custody”, “spouse” and “treatment order”, have now been included. The word “spouse” has been inserted and defined in the appropriate alphabetical sequence.

An order for protective custody has been introduced. The order has been made by a medical officer or responsible medical officer in accordance with sections 6 or 12 respectively. Currently, Mr. Speaker, there is no authority under section 6 for a constable to bring a patient in after the section 5 request for review has been completed by the nearest relative and the matter has been reported to a medical officer. Because of this, there are several instances where the medical officer contacts the constable, but the process is delayed because of the absence of the provision and a form to send on with the constable.

Now, within this Bill, Mr. Speaker, **“protective custody” means an arrangement where a person is being safeguarded by, or under the care and protection of, law enforcement authorities;”**. References to the words “Governor in Cabinet” are replaced with the word “Cabinet”.

Clause 3 - Amendment of section 6- emergency detention order: this clause amends section 6 of the law by repealing subsection (1) and substituting new subsections.

The new subsections provide for a protective custody order. If a medical officer is of the opinion that a person is or may be suffering from a mental impairment or serious mental illness, the medical officer may make an order for protective custody in the prescribed form, directing the constable to –

- (a) take the person into protective custody; and
- (b) with all reasonable despatch, bring the person before a medical doctor employed by the Government to be examined

The form proposed in the Mental Health (Amendment) Regulations, 2022, will facilitate this process. This clause also clarifies the procedure relating to emergency detention orders.

Mr. Speaker, clause 4 – Repeal and substitution of section 7 - apprehension of a person suspected to be a danger. This clause introduces a new section which specifies that a constable shall take a person into protective custody where a person appears to be an immediate danger to himself or herself or other persons, or is threatening, attempting, or preparing to inflict self-harm. In this instance, Mr. Speaker, the person apprehended must be brought before a government medical doctor to be examined, and the emergency detention order is made by the medical officer and not the medical doctor.

Clause 5 – Amendment of section 9: treatment order. This clause removes a minor conflict in the legislation, as section 12 of the Act already includes a provision to address the violation of an assisted outpatient treatment order.

Clause 6 - Amendment of section 12 - assisted outpatient treatment order. This clause introduces new subsections and aligns the procedures relating to orders for protective custody as well as the making of emergency detention orders for protective custody where, following a period of hospitalisation, a patient is unlikely to participate in treatment voluntarily, or does not comply with recommended treatments.

Mr. Speaker, I would like to take some time to provide information on the assisted outpatient treatment order [AOTO], which was first introduced in 2013.

- Eleven assisted outpatient treatment orders were issued in 2014;
- In 2020 and 2021, 29 and 25 orders were issued, respectively.

The introduction of the AOTO is an important advancement in the treatment of people with serious mental illness. These individuals are ordered into treatment without being in a hospital, which is a less restrictive, less expensive and more humane form of commitment than inpatient. Patients are seen in the community by the community psychiatric nurse, which helps reduce homelessness, suicide attempts, and substance abuse. Additionally, hospitalisation is reduced,

and the public is kept safer by reducing physical harm to others according to research.

Clause 7 - repeal and substitution of section 16 – Restrictions on access to post and electronic networks. Mr. Speaker, this clause amends section 16 of the law to include current provisions on postal restrictions, and to take into consideration technological advancement and the use of electronic networks for patients' access.

With the additional provisions, if, in the opinion of a responsible medical officer, access to any electronic network directly or indirectly by a patient may have an adverse effect on the patient, access to any electronic network may be denied. However, the patient who has been denied access, or the patient's nearest relative, may appeal to the Mental Health Commission within seven days after being informed of the decision.

Mr. Speaker, these are the proposed amendments to the Mental Health (Amendment) Bill, 2022. Once this Bill has been passed by this honourable House, the Mental Health (Amendment) Regulations, 2022, will be submitted to Cabinet for their consideration and approval. These amendments are necessary to meet the needs of the patients, healthcare practitioners, and the stakeholders.

Mr. Speaker, since the introduction of the updated law in 2014, and the establishment of the Mental Health Commission and the various NGOs providing mental health support and promotion, there has been a reduction in the stigma and discrimination associated with mental health. It is said that mental health is one of the most neglected areas of public health—Mr. Speaker, I beg you to play close attention to these facts:

- Close to one billion people are living with a mental health disorder;
- Three million people die every year from harmful use of alcohol; and
- One person dies by suicide every 40 seconds.

Let that sink in. The COVID-19 pandemic is having a further impact on people's mental health as well; here in the Cayman Islands, we are fortunate, as most persons have access to quality mental health services, albeit they have to pay for such services.

Mr. Speaker, the World Health Organization recently released a report [called] *World Mental Health Report: Transforming mental health for all*, it noted mental health reform and restructuring services requiring change. We have to promote mental health for all, protect those at risk, and provide mental health care in the community. We must continue to invest in mental health; support friends and families who are struggling, introduce employee wellness programmes and make mental health care a reality for everyone.

Mr. Speaker, I leave you, my colleagues, and the listening public today with this quote from the report:

“Mental health is an integral part of our general health and wellbeing, and a basic human right. Having good mental health means we are better able to connect, function, cope, and thrive.”

Mr. Speaker, I look forward to the support of this Bill by my fellow colleagues and Members of this honourable House.

Thank you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The honourable Parliamentary Secretary, the Member for West Bay Central.

Hon. Katherine A. Ebanks-Wilks, Elected Member for West Bay Central: Thank you, Mr. Speaker.

I rise briefly to thank the Honourable Minister for bringing this much-needed piece of legislative change to this honourable House.

As you and my colleagues from the district of West Bay know, Mr. Speaker, we have a high number of individuals in our district who suffer with mental illness and it is oftentimes their family members who struggle to provide the assistance that they require. I think this legislative change will assist many individuals with whom I have certainly been in contact with, since being elected.

Many of these individuals suffer when it comes to trying to get their family members to the facilities for the required medical care because I think, for far too long, these protective orders have not had the legislative framework in place to provide the authority to the police officers so, I thank the Honourable Member for ensuring that it came to this honourable House on such a timely day.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* Last call, does any other Member wish to speak? If not, I shall ask the Honourable Minister for her right of reply.

Hon. Sabrina T. Turner: Thank you, Mr. Speaker and thank you to my colleagues.

As I stated in the opening, I am most humbled and it could not come at a better time, today being the observance of World Mental Health Day, but I would like to express gratitude to all the persons who have contributed to putting the Amendment together. I would also like to thank the members of the legislative drafting team, the Mental Health Commission members and my ministerial staff for their support.

Thank you, sir.

The Speaker: The question is that a Bill entitled the Mental Health (Amendment) Bill, 2022, be given a

second reading. All those in favour, please say Aye, those Against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Mental Health (Amendment) Bill, 2022 was given a second reading.

MENTAL HEALTH COMMISSION (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Health.

The Speaker: Thank you, Mr. Speaker.

I rise to move the second reading of a Bill titled Mental Health Commission (Amendment) Bill, 2022.

The Speaker: The Bill is duly moved.

Is the Honourable Minister speaking thereto?

Hon. Sabrina T. Turner: Very briefly, because it coincides with the first Bill I presented which has been accepted for which I, again, thank this honourable House.

Mr. Speaker, in 2013 the Mental Health Act made provisions for the creation of the Mental Health Commission. The Commission focuses on key issues and makes recommendations to government, service providers, and other stakeholders, on how best to improve the systems that are directly related to mental health care. The membership of the Commission consists of a broad range of individuals who bring their expertise and knowledge—attorneys-at-law, a therapist, psychiatrist, medical doctor, community psychiatric nurse and three lay persons.

Mr. Speaker, the Mental Health Commission (Amendment) Bill, 2022, specifies amendments required to the Mental Health Commission Act, 2013, as a consequence of the enactment of the Mental Health (Amendment) Act, 2022. I will now speak a bit more in detail to the specific proposals contained in the Mental Health Commission (Amendment) Bill, 2022.

Cause 1 - short title and commencement. This clause provides for the short title and commencement of the legislation. The Mental Health Commission (Amendment) Act, 2022 will come into force immediately after the Mental Health (Amendment), Act 2022 comes into force.

Clause 2 - amendment of section 7 of the Mental Health Commission Act, 2013 – Functions of Commission: Quasi-judicial. This clause clarifies that, as a consequence of the enactment of the Mental Health Amendment Act, 2022, the Mental Health Commission shall also hear and determine appeals against restrictions imposed in respect of access to postal packets and electronic networks by patients.

Mr. Speaker, these amendments are necessary to ensure that the provisions of the Bill align with the provisions under the Mental Health (Amendment)

Act, 2022. As stated before, these are consequential amendments and the role and function of the Commission are outlined in an annual report presented to the Parliament.

Mr. Speaker, the training provided by the Commission is designed to increase mental health literacy, reduce the stigma of mental illness, and provide the public with the skills and knowledge to better manage potential or developing mental health problems with our families, friends, and colleagues alike.

In closing, Mr. Speaker, I would like to again express my gratitude to all those persons who contributed to putting this amendment together, and I look forward to all of my colleagues in this honourable House supporting this Bill.

Thank you.

The Speaker: The question is, that a Bill shortly entitled—

[Inaudible interjection]

The Speaker: I guess I was moving too quickly. I must admit I was attending to a call from a person who wants to apply for a nursing post, so be aware [that] I will be speaking to you about it; sorry about that.

Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] If not, I call on the Mover if she wishes to reply.

Hon. Sabrina T. Turner: Thank you, Mr. Speaker.

Again, let me take this opportunity to express my sincere gratitude to the legislative drafting department, the Mental Health Commission members, and my ministerial staff. With this passage, all the persons and government agencies that were impaired in exercising their duties now have this legal and legislative framework which allows them to execute their duties in accordance with law.

Thank you.

The Speaker: The question is that a Bill shortly entitled the Mental Health Commission (Amendment) Bill, 2022, be given a second reading. All those in favour please say, Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Mental Health Commission (Amendment) Bill, 2022 was given a second reading.

FINANCIAL ASSISTANCE BILL, 2022

The Speaker: The Honourable Minister of Commerce and Social Development.

Hon. André M. Ebanks: Mr. Speaker, I beg to move the second reading of a Bill entitled the Financial Assistance Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Honourable Minister speaking thereto?

Hon. André M. Ebanks: Yes, Mr. Speaker, most definitely.

Mr. Speaker, I rise on behalf of the Government to present a Bill for an Act to repeal the Poor Persons (Relief) Act (1997 Revision) to provide for the continuance of the Needs Assessment Unit (NAU) as the Department of Financial Assistance; to introduce a new procedure in respect of applications for and the issuance of financial assistance; to provide for a Financial Assistance Appeals Tribunal, and for incidental and connected purposes.

Mr. Speaker, as I commence in earnest, I will do so with a quote that I keep on my phone, that I referred to on the 2021 campaign trail, and that I have repeated since at various functions for social development, as well as for financial services and commerce, because it is relevant to those stakeholders too. Former US President Franklin D. Roosevelt once said, "**The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little**". I am hard-pressed to find another quote that fully captures the mind-set we should have as a Government at this point.

Globally, Mr. Speaker, there is an economic downturn which is affecting people of all socioeconomic statuses; however, it is disproportionately affecting vulnerable groups such as older persons; persons with disabilities, and families who are accessing financial assistance services. The COVID-19 pandemic which began in the first quarter of 2020 has had drastic implications for the Cayman Islands workforce.

It reduced job opportunities for those who were already unemployed or those who are underemployed. Additionally, the world has experienced a financial decline in 2022 with the ongoing war between Russia and the Ukraine, the decline in financial markets which began earlier this year, and the rise of inflation. It was plain to anyone who pays attention to the subject of social development, Mr. Speaker, that the Cayman Islands social safety net was insubstantial prior to the start of the COVID 19 pandemic.

An office that was certainly paying attention pre-pandemic, was the Office of the Auditor General. In May 2015—2015—the Office of the Auditor General published a report entitled, *Government Programmes Supporting Those In Need*. Mr. Speaker, when one reads that report concerning the state of our social safety net, it should send a shiver through you; and if that was the case in 2015, in light of all of the global events I just mentioned, the insubstantial social safety net would now be under even more enormous pressure, pushed to a precariously feeble point.

However, the Auditor General's report of 2015 was not all doom and gloom, Mr. Speaker. It was also helpful, as it outlined twelve recommendations to strengthen our social safety net. Against that backdrop, Mr. Speaker, this new Government understood that a new, modern, approach needed to be taken to bolster and re-imagine the area of social development—an approach that combines the advantages of other subject areas to produce better social outcomes.

Which is how the Ministry of Investment, Innovation and Social Development came into being, and why the Ministry and I composed the following as part of our vision and mission statement as set out on page 177 of the 2022-2023 budget statement: **"To assist and uplift the less fortunate in our society we will reimagine social development by creating meaningful, measurable, efficient and effective reforms to Governments policies and programmes of social assistance for Cayman's least fortunate, and ensuring that the fruits of innovation and investment raise and improve the lives of all members of our society."**

To get started, Mr. Speaker, the Auditor General's report at recommendation seven recommended the following: **"The (then) government should follow through on the 2013-14 Strategic Policy Statement to amend the Poor Persons (Relief) Law and to develop accompanying regulations so as to provide sound legislative authority for poor relief programmes including the basis for the development of criteria needed to effectively manage the programmes."** However, the approach taken here goes further, Mr. Speaker. It seeks to repeal the Poor Persons (Relief) Act, 1997, a two-page Act, in substance, that was originally enacted in 1964 and has only had a slight amendment twenty-five years ago.

In this economic climate, Mr. Speaker, it is not time to bite around the edges and lightly amend a principal Act that is hopelessly out of date, and create regulations controlled solely by the Executive. No, Mr. Speaker. It is time to make a statement in this country, in its Parliament, that an Act shortly entitled the Poor Persons Relief Act is unacceptable in this day and age, and an overhaul is required not only to assist the vulnerable, but bring about greater accountability to our social safety net. As such, Mr. Speaker, the Bill was developed as an initial foundational piece to re-imagine and modernise the subject area of social development in this country.

Mr. Speaker, in the Cayman Islands, at the centre of this discussion, are eligible Caymanians who are accessing financial assistance. Upon embarking on this research, we can see that approximately two thirds of these are older persons, and persons with disabilities that are permanent. Just over 30 per cent are families with dependents, and a small portion—roughly 3 per cent—are of working age, with no dependants, so we have our range and we have our general breakdown of

the client population and we are embarking on an enhanced way to assist.

Mr. Speaker, I will now touch on the three primary aspects of financial assistance that will be addressed by this Bill.

Firstly, this Bill will establish the Department of Financial Assistance, currently referred to as the Needs Assessment Unit in legislation, and will outline its functions and its authority. Secondly, it establishes the categories of people who are eligible for financial assistance and the conditions which could be placed on recipients of financial assistance. Lastly, it will provide for a Financial Assistance Appeals Tribunal.

Mr. Speaker, the Bill is arranged in six parts: Part 1 provides the preliminary provisions and contains clauses 1 and 2.

Clause 1 contains the short title and commencement provisions.

Clause 2 provides definitions for the words used throughout the legislation. These definitions have correlated with existing legislation where applicable, such as the definition of person with a disability and the definition of older person.

Part 2 provides for the Department of Financial Assistance as well as the Director and other officers of the Department of Financial Assistance. This part contains clauses 3 to 9.

Clause 3 provides that, should this Bill pass, the department of Government known as the Needs Assessment Unit under this legislation, as I said before, will now be known as the Department of Financial Assistance.

Clause 4 provides for the functions of the department, including the managing and administration of funds appropriated by Parliament for the purpose of financial assistance.

Clause 5 provides for the powers of the offices of the department in the exercise and performance of the department's functions.

Clause 6 provides for the continuance of public offices of the Director and other Officers of the Department.

Clause 7 provides for the duties and responsibilities of the Director including the administration [and] implementation of this legislation, and management and supervision of the Department.

Clause 8 provides that the Minister responsible, after consultation with Cabinet, may give written policy directions to the Director which the Director must follow in the performance of the Director's functions.

Clause 9 empowers the Director to request information of any entity or financial institution which may be reasonably required in the exercise of the Director's duties and responsibilities under the legislation.

Part 3 provides, among other things, the application process for financial assistance, as well as the conditions attached to the receipt of financial assistance. This Part includes clauses 10 through 18.

Clause 10 provides for persons who may apply for financial services, namely:

- Caymanians;
- Certain spouses or civil partners of Caymanians; and
- The guardians of Caymanian dependants.

Clause 11 provides for the evaluation and termination of an application for financial assistance by the Director.

Clause 12 provides that where the Director is satisfied that an applicant fulfils the prescribed criteria for eligibility for financial assistance, the Director shall grant the application.

Clause 13 provides the Director shall refuse an application for financial assistance where the Director is not satisfied that the applicant fulfils the criteria for eligibility for financial assistance.

Clause 14, importantly, Mr. Speaker, provides for conditions which are attached to the receipt of financial assistance, such as registering with the Workforce Opportunities & Residency Cayman Department (WORC), attending training or employment, or taking up volunteer opportunities for those who are able to work. Other conditions may include attending parenting programmes, or engaging in mental health services or assessments.

Mr. Speaker, I want to pause on Clause 14 to emphasise its importance. It means that for the first time in this country, this legislation for those who are receiving the grant of financial assistance, if they are able, they must do something of value to the community in return for that grant, and this has every possibility to be successful. We have already had calls from private sector firms, reputable large firms, non-profit organisations that have said once, and hopefully this passes, we are happy to lend support to such programmes.

Clause 15 provides for the circumstances in which the Director may suspend payments of financial assistance.

Clause 16 provides for the circumstances in which the Director shall revoke a decision to issue financial assistance and also provides for the circumstances in which the Director may exercise discretion in deciding whether a decision to issue financial assistance should be revoked.

Clause 17 provides that the Director may review a decision to issue financial assistance, and vary financial assistance, where new facts are brought to the Director's attention.

Clause 18 provides that the Director may reconsider a decision in respect of an applicant or recipient where the applicant or recipient who is aggrieved by the decision, applies for reconsideration.

Part 4 provides for the establishment and appointment of the Financial Assistance Appeals' Tribunal, whose responsibility is to hear and determine requests for reviews of the decision of the Director in

relation to financial assistance. This part contains clauses 19 to 25.

Clause 19 provides for the appointment and constitution of the Appeals Tribunal.

Clause 20 provides for the appointment of the secretary to the tribunal.

Clause 21 provides for the terms of appointment of the members of the Tribunal and provides that a member of the Tribunal shall hold office for a period not exceeding three years.

Clause 22 provides for the circumstances in which the Cabinet may terminate the appointment of a member of the Appeals Tribunal.

Clause 23 provides that where a member of the Appeals Tribunal has a possible, perceived, actual or potential personal or pecuniary interest, direct or indirect, in a matter which is to be determined by the Appeals Tribunal, the member shall disclose that member's interest and shall not take part in the consideration or discussion of the matter or vote on a question with respect to such matter.

Clause 24 provides that the functions of the appeals tribunal are to hear and determine appeals against the decisions of the Director, including decisions in respect of refusal of an application for financial assistance, or the suspension, revocation or variation of financial assistance.

Finally, clause 25 provides for the powers which the Appeals Tribunal may exercise on hearing an appeal against the decision of the Director. The Appeals Tribunal is empowered to, among other things, confirm, vary, amend, reverse, or set aside the decision of the Director or to make a decision which the Appeals Tribunal thinks ought to have been made in the first place.

Part 5 provides for offences and penalties. This part contains clauses 26 to 28.

Part 6 provides for the regulation making provisions, the repeal of the Poor Persons (Relief) Act and the savings and transitional provisions. This Part contains clauses 29 to 36—and that, Mr. Speaker, was a mountain of work that took much time and consideration.

As I begin to wind up, Mr. Speaker, I will briefly say, in closing, that in my humble opinion, this House is on the verge of passing landmark legislation—

[Desk thumping]

Hon. André M. Ebanks: —Creating a modern, and fit-for-purpose legislation to govern the Government's financial assistance given to Caymanians, while creating accountability as well as legal recourse.

If this Bill passes today, it will largely address five out of the twelve recommendations set forth in the Auditor General's Report of 2015; but Mr. Speaker, even if this Bill passes, we will not rest on our laurels. We are only getting started. The Needs Assessment Unit will be rebranded and revamped with a new facility

in Cayman Brac, an expanded and enhanced facility right here in Grand Cayman with additional client services; a call centre, a respectable and comfortable reception area, and hiring additional financial assistance officers.

Mr. Speaker, we would then turn to finalise accompanying Regulations to deal with the Appeals Tribunal's in-depth procedures and the matters of application procedures.

Mr. Speaker, we will build on innovative steps that we have taken to date, including a revamped website, establishing an online application for clients—which was already done. We established an online application that allows clients to apply remotely via mobile devices or laptops. We have created partnerships with Digicel and FLOW to permit mobile users with an active SIM card to access the Needs Assessment Unit website, and also to utilise its online application portal at zero cost, without paying for the data transfer.

We also created a continuation certificate for the benefit of older persons and those who are permanently disabled, who have already qualified for government financial assistance. There is no need for them to go through the long process all over again. That is in place as I speak, Mr. Speaker. We have begun to set our sights to design a new Needs Assessment Unit, which will then be the Department of Financial Assistance database, to make the staff's life easier in processing, and simpler for the client.

It will also compile and analyse information in a more effective way to produce detailed statistical analysis, which will enable Government to make data-driven decisions, and not at the whim of an educated guess.

Although in recent times, Mr. Speaker, there would have been much in the public domain pertaining to NAU and the promotion of this Bill—and in the press, earlier this year, regarding the relocation of the Sunrise Adult Training Centre to larger, more modern premises centrally located in Elizabethan Square; I want the remaining Social Development Department, the Department of Children and Family Services (DCFS) to know, that they, too, weigh heavily on my mind.

The DCFS, as they are called, will be instrumental to the success of re-imagining social development. Their services and process will also need to be revamped to assist with social programming to coincide with financial assistance for eligible people in need, including those age 18-64 who don't have kids, so that these individuals get the programming they need and have a sea change to transition them to a more productive life. Also to re-imagine in social development, are programmes for older persons.

Mr. Speaker, we will also need to work heavily across Ministries. With the Minister for Labour and his staff at the Department of WORC; with the Minister for Health to reform the indigent Cayman Islands Insurance Company (CINICO) healthcare system to provide a one-stop-shop service for our clients. With the

Minister for Housing who outlined in painstaking detail, as we heard earlier, his update on affordable housing; and we will partner together to ensure that a portion of those affordable housing schemes includes social housing so that those in need of shelter do not have to rely solely, as they do now, on private landlords.

Mr. Speaker, this will not be easy. There will inevitably be stumbles, wobbles, points that work well, others that have to be revisited and adjusted, but it is high time to get started, Mr. Speaker, to uplift our people to live decently and, where possible, transition them to a more productive station in life. There will be bumps and bruises along the way, but I am willing to try; my colleagues here, in this hallowed Chamber are willing to try. As U.S. Actor Denzel Washington famously said, **"Ease is a greater threat to progress than hardship,"** and he advised, *if you fall down seven times, get up eight.*

With that, Mr. Speaker, I commend this Bill to this honourable Parliament for its second reading.

Thank you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? The Honourable Minister of Finance and Deputy Premier.

The Deputy Premier, Hon. Christopher S. Saunders, Minister for Finance and Economic Development and Border Control and Labour, Elected Member for Bodden Town West: Mr. Speaker, thank you very much.

No, no, I don't need a lectern; I did not prepare a speech for this. I did not really plan on speaking on this Bill, because I think the Minister did an excellent job in presenting it, but I am inspired and moved to stand, and to record thanks to the Minister, on behalf of the rest of my colleagues, Mr. Speaker, because he actually took a very modest approach in his presentation.

Mr. Speaker, this is the Act that this legislation is replacing. I want to hold it up so everyone can see that the law itself is actually written on one, two pages. Even though the Minister said it was revised in 1997, that revision was actually more for typos. This law has remained unchanged since 1964, when it was first enacted—more than 58 years ago.

[Inaudible interjection]

The Deputy Premier, Hon. Christopher S. Saunders: Before I was even born, and I am not even fifty yet, Mr. Speaker.

Mr. Speaker, as I look at this 1964 Bill assisting our people on roughly one and a quarter pages, and then look at what the Minister has brought here today, in terms of the work that his team has done. Recognising, as he said in his debate, that this is something the Auditor General raised since 2013 needed to be addressed; and recognising that the report was from

2013, which means the work was probably done from 2012, and here we are ten years later, after the Auditor General's report dealing with it, says something. More importantly, Mr. Speaker, the very first time the current Minister ended up on my radar was during a Public Accounts Committee meeting.

At the time, he was the Deputy Chief Officer in the Ministry and we were going through the Auditor General's report, and something that actually bothered us in the report was the term "poor relief". Being the dedicated public servant that he is, and not dealing with policy at the time, he stated that it was something he, too, had an issue with, because it takes from our people's dignity. To see him move from Deputy Chief Officer to a Minister in this Government and carrying out on something that was personal, near, and dear to him, from before he became a politician, inspired me to stand today. I can honestly say a promise was made and a promise was kept—and I thank him for that.

Mr. Speaker, the Minister referred to this as being a "landmark" piece of legislation—for this Government, it is, as the Premier has stressed many times closing the dignity gap for our people. Something this Government is working on, as we are re-imagining the budget process (moving from an output budget to an outcome budget), is to start looking at the human development index. Our ultimate goal, Mr. Speaker, will be the World Happiness Index. It is something we are looking at. The index looks at six measures, and they are not weighted equally; there are different ratings for the six:

- The first and most important of those six, is social support—having someone to count on;
- The second is, basically, access to opportunities. That is where we look at the dignity gap—how can we get people to feel good about themselves;
- The third is generosity—being able to give back;
- The fourth is, basically, trust in government;
- The fifth is real Gross Domestic Product (GDP) per capita; and
- The sixth is life expectancy.

The first one, Mr. Speaker, having someone to count on—is social support; and while the government recognises that unless we find oil somewhere underneath here, our ability to help our people will always be limited as we will not have the resources, we are committed to ensure that when we do help our people, it is so that they can have or maintain their dignity. As the Minister highlighted, this includes our ability to assist people in terms of healthcare, housing, et cetera.

Mr. Speaker, when you look at Broad Outcome Number One in our Strategic Policy Statement, which deals with education, the very first thing we have is taking care of our kids' free school lunches because those are the simple little things—and the pandemic brought

it out. When we realised the number of our children who depended on getting a meal while they were going to school... When the schools were out, those kids were going hungry.

Our people are proud people, Mr. Speaker, and I am happy to see the Minister actually changed the name from that disgusting "poor relief", because it does not reflect our Caymanian values of caring and sharing. It was not who we are. We recognise, Mr. Speaker, that you could be doing very well today, but you can stumble and fall along the way. When you look at the life expectancy of a woman, Mr. Speaker, it is 85 years. There are so many different things that can happen along the way; we will have the bumps, we will have the struggles, will have the false start, but it is important for us that we have that safety net, that we can help our people and, more importantly, allow us to help them with dignity.

Mr. Speaker, I am proud that this Government has decided to do something that has been unchanged since 1964. The world has changed much since and to have done it in this way; with the care, compassion, and competence that the Minister brought to the process... I am proud to sit in Cabinet with him. He said earlier that he probably could not find a better quote to open with. I will close with one that John F. Kennedy (JFK) said in his inaugural inauguration back in 1961: **"If a free society cannot help the many who are poor, it cannot save the few that are rich."**

Mr. Speaker, it is important for us as a Government, and as Caymanians, to put the necessary structure and infrastructure in place to assist our people. This is the business we are in and what it comes down to, so I want to commend the Minister. There is much work to be done; it is not the end-all nor be-all, but we have to start somewhere.

With that Mr. Speaker, all I can say is: Minister, let us begin.

Thank you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Parliamentary Secretary and Member for Savannah.

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

Mr. Speaker, as the Parliamentary Secretary for Social Development, I rise to voice my support for the Financial Assistance Bill, 2022, brought by the Honourable Minister for Social Development.

Mr. Speaker, with these changes, this Bill will bring comfort to all who have had their share of issues when applying for financial assistance. The honourable Minister, through his vision and foresight, saw fit to do what is right for our people and it fills my heart with pride. I am extremely proud of him and his staff, who worked tirelessly to see it through to this point. I am also

proud of the Minister who inspires me every day to work harder for our people.

Mr. Speaker, as the Minister indicated, this Bill will establish the Department of Financial Assistance in legislation. At present, the Needs Assessment Unit does not have any meaningful governing legislation. This state of affairs is wholly unacceptable for a Department with responsibility for administering roughly \$14 million per year of financial assistance to our people—moreover, it is high time in 2022, for good governance. Mr. Speaker, that legislation finally outlines the functions of the Department, and what it can do in the exercise of its functions, which is what the Bill provides.

Mr. Speaker, it is most reassuring to see that the Bill outlines that to apply for financial assistance applicants must be Caymanian, a spouse or civil partner of a Caymanian, or a guardian of a dependent who is Caymanian, to affirm who is eligible for the first time in law.

Mr. Speaker, as the Minister indicated, the Bill identifies conditions which could be placed on someone who is in receipt of financial assistance. This is primarily with the intention of enabling people who are able to work, to access employment and training opportunities. This was echoed within our focus groups that emphasised the need to consider the holistic individual and households, because we need to return as many who are able, back to work.

Mr. Speaker, it is reassuring to see that the Bill establishes, for the first time ever, a Financial Assistance Appeals Tribunal. If someone is aggrieved by a decision of the Department, they can first apply for reconsideration from the Director, who must provide a decision within twenty-one working days. In the case that someone remains aggrieved following a reconsideration, the applicant may file an appeal with the Appeals Tribunal which will consist of:

- A Chairperson who is an attorney at law for at least five years;
- A deputy Chairperson who has at least five years' experience in health and human services;
- A person with at least three years' experience in finance; and
- Two other persons.

This is to provide a balanced tribunal that can determine and weigh accountability with a human touch of compassion. Mr. Speaker, this Bill is long, long overdue. In my submission, it could only have been brought forward by a Government that is truly people-driven, but building appropriate accountability; competent, to get further in this area than ever before in our history and with transparency in the process.

Today, I support this Bill wholeheartedly, and I am proud to be a part of this landmark legislation.

I thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Member from West Bay Central.

Hon. Katherine A. Ebanks-Wilks: Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak briefly on the Financial Assistance Bill, 2022 that has been laid on the Table by my colleague, the Member for West Bay South.

The Minister for Social Development and his team have taken on this much-needed and long overdue task to introduce this Bill, and I know the Deputy Premier just elaborated on that a bit so I won't go on any further in that regard, but Mr. Speaker, the rebranding of this legislative framework displays to the public the approach that the Minister, and this Administration have taken. We are moving away from providing relief for a poor man or woman, to offering financial assistance by taking a holistic approach to each individual's needs.

Many of us know, that most of the vulnerable clients of the Needs Assessment Unit require a holistic approach to determining and removing the setbacks that these individuals face, which often prevent them from being able to secure, or maintain, steady employment. Removing these setbacks—some which could look as simple as establishing childcare, or as extreme as addressing untreated post-traumatic stress syndrome—all of these types of setbacks prevent our Caymanians from becoming self-sufficient, and what this Bill does Mr. Speaker, is ensure that we do our part to level up our people.

Mr. Speaker, in addition to the much-needed name change, this Bill also provides for the introduction of conditions to individuals who are receiving government's financial assistance. In particular, for households with adult members who are able to work. This is what many of our taxpayers have been crying for: more accountability and mechanisms to ensure that the support is not abused.

I am also pleased that new mechanisms are put in place for those elderly clients and individuals with medical conditions to ease their burden, especially those with lifelong illnesses and disabilities—and this is by removing the frequent assessments which can be burdensome.

Mr. Speaker, in my view, these changes are all positive for our people and will provide better value for money to the government's purse, as well as providing accountability to the recipients. With that being said, I certainly will be supporting this Bill.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Member for Bodden Town East.

Mr. Dwayne S. Seymour, Elected Member for Bodden Town East: Thank you, Mr. Speaker.

I just want to say a few words. I was not going to speak but, after I heard the presentation from the Minister I want to add my public and vocal support.

Thank you so much, Minister, for being so aggressive in bringing this forward with all intentions of improving the outcome and quality of experience for Caymanians in need.

Mr. Speaker, this is near and dear to me, and I am glad to be a part of this Government that is taking the greatest leaps and bounds in over fifty years. Our people are not poor, and I am glad it's changing that name. They did not need to be branded with the latter name. Our people are rich in spirit and would rather a better opportunity to put food on their own tables, Mr. Speaker. This is one of the reasons I came over to support this Government—programmes and ideas such as this, and ensuring Caymanians feel the care that their Government has for them, and not only talking hot air.

The MP for West Bay South shows great passion Mr. Speaker, especially when he brings these Bills to Caucus; very passionate about trying to ensure that we get a better outcome. He has worked very hard, Mr. Speaker, to bring this to this point. I can tell you, and I can almost assure you, Mr. Speaker, that other Ministers had similar ambitions, but knowing what people know—and the system, as to how long it takes to bring things forward, they probably thought, *Well, I'm not going to get it done in one term*. This Minister brought it forward in eighteen months or less—

[Desk thumping]

Mr. Dwayne S. Seymour: —and I think he ought to be applauded.

[Desk thumping]

Mr. Dwayne S. Seymour: This is a gigantic, Herculean, effort that he has undertaken, and I know that he had to pay special attention in the Ministry to ensure that everyone worked hard to try to bring this up to speed, to get to this point at this time. I am glad he ensured that.

You know, sometimes as a Minister, you work on things so hard, and it comes to the end of your term and you got to leave it and you don't know what else is going to happen with it. I am thankful, that with the experience he has, working in Government, he understands the system so he pushed and pushed, and now we have an improved Financial Assistance Bill most can be proud of.

Mr. Speaker, as many have said, even the Minister himself, it won't be perfect, but whatever he finds along the way, I am sure he will bring it back and amend and try to correct it and try to get a Bill that any Minister coming along can utilise for the next 50 years.

I thank you so much, Minister, for sticking with this. I understand what it means, trying to bring forward something as Herculean as this. It takes great effort from you and your Parliamentary Secretaries to bring this forward.

I thank the Government for giving you all the support necessary. We had all the confidence, from your presentations in Caucus that this was going to be something that we as a Government were going to be proud of—and the country would be proud of.

I thank you again, and God bless you.

[Desk thumping]

The Speaker: Does any other Member wish to speak? The Honourable Deputy Governor.

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

Mr. Speaker, I certainly want to join the Members of the House in commending the Minister, and the Government, for bringing this very important piece of legislation. I think the Minister called it “landmark legislation” and I certainly agree with that.

Mr. Speaker, I, too, want to thank all of the civil servants who have been involved in the development of this Bill. It has taken some time [and] multiple Ministries, but I think everyone worked hard to get us to where we are today and again, I thank the Minister for bringing us over the finish line. I want to speak briefly about clause 14, and then wind up by recognising the staff at NAU.

Mr. Speaker, the Minister spoke about clause 14 (2); that clause talks about conditions that the Director may apply when granting someone financial assistance. It talks about how it may require the person:

- (c) **To take up employment, an internship or an apprenticeship, which may be specified by the Director; and**
- (d) **Where such person is not employed, to complete such hours of work per week with a charitable or volunteer organisation, as the Director may determine.**

Mr. Speaker, I think those two clauses are very, very, important. Many, many, years ago, I had the pleasure of walking an entire 5K with a social worker. We got to talking about what she was seeing in our community, and she made a point to me which I had never realised: that we have families, generations of families that are growing up in social assistance. If I am born into a family and have never seen my mother or my father work, why would I want to work? Maybe I want to follow in their footsteps and apply for social assistance.

Mr. Speaker, we have to break that...

[Inaudible interjection]

The Deputy Governor, Hon. Franz I. Manderson: I hope it is not a tradition.

We have to break that—yeah, that cycle—way of thinking. Mr. Speaker, this Bill and those clauses I just mentioned, I think will go a far way to addressing that concern, because we can now say to those persons who are able-bodied, *“Listen, if you want to ask the government for assistance and you are able to work, we are going to ask you to go and volunteer; go and do an apprenticeship programme.”*

Mr. Speaker, not only is that putting the person to work, but it's also giving them a skill—maybe teaching a new skill, maybe it is also building their résumé because, Mr. Speaker, many persons don't want to be on assistance—they want to work, but they do not have the opportunity. This Bill gives them the opportunity to feel proud; to say, *“Yes, I am temporarily on government assistance but you know what? I am working; I am giving back”*, so Mr. Speaker, I want to, again, thank the Minister for putting these clauses in the Bill. I think they are absolutely essential, and they can break the cycle I described earlier, of generations of persons growing up on social assistance.

Mr. Speaker, I also want to pay tribute to the staff at NAU. We get complaints; we hear that one or two persons were not granted assistance. Or one or two persons didn't get their call answered. Or a few persons didn't get what they wanted, but we don't hear about the hundreds of people who get tended to with no complaint because we have a very capable director, Ms. Tamara Hurlston, and some really great staff working at NAU. I think two of them are in the Chamber right now, sitting over there. The staff there are dedicated, they work very hard for long hours and, as Head of the Civil Service, it would be remiss of me if I did not sincerely thank them for their hard work and assistance in taking up the reins—helping our people who are desperately in need of assistance.

The Minister also made a very important point when he said that he would be looking to increase the NAU staff in the new Department and also finding them better accommodation; I want to sincerely thank him for that. To get this Bill done and operating correctly is going to need people. The Bill itself is not going to help all our people; it will need capable persons, good leadership, great support from the Ministry, great directions from the Minister and together, together, we will make a real difference.

As head of the Civil Service, I want to commit to the Minister today [and] say that, I know the Civil Service will do everything it can to make this Bill a success and bring positive life changes, to our people.

Mr. Speaker, I thank you.

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

If not, I will call on the Mover for his right of reply? Just asking... Do you intend to be brief or quite lengthy?

Hon. André M. Ebanks: Depends on the definition of brief. I don't think I will be more than, say, fifteen minutes. Fifteen minutes.

The Speaker: What we will do then, we will give you some sustenance. We will take the evening break at this point, for forty-five minutes. Thank you.

Hon. André M. Ebanks: I'm ready to go.

[Laughter]

Proceedings suspended at 6:03pm

Proceedings resumed at 7:05pm

The Speaker: Please be seated.

Proceedings are resumed when we took the evening break, I had called on the Minister for his right of reply.

The Honourable Minister of Commerce and Social Development.

Hon. André M. Ebanks: Thank you, Mr. Speaker, for that break. When we left, you asked whether I would be brief; the break allowed me to add a touch more.

[Laughter]

Hon. André M. Ebanks: Mr. Speaker, I would like to thank my colleagues who spoke in support, the Members for Bodden Town East and West, for their moving remarks; the Member for West Bay Central for her touching comments. Of course, the Member for Savannah who is also the Parliamentary Secretary for Social Development, whose remarks touched me greatly, as well as the Deputy Governor.

I would also like to thank His Excellency the Governor, who looked at me in Cabinet when we were approving the Bill, and its publication and said, *“Minister, this is important”*—I would like to thank him for his recognition.

Ordinarily, Mr. Speaker, we would hear from the Opposition and their contributions; unfortunately, they have decided not to be here. The only public evidence we have, of their general position towards the Bill, are the remarks they made in their press conference last Friday, 7th October. I took from that press conference, that the Opposition had no material objection to the Bill. At that point, Mr. Speaker, I thought that was good and honest recognition, but the Opposition went on to make further remarks in this press conference, to claim that the Bill was just a framework with very little, and they had not seen the accompanying Regulations

and that the Bill is not much more than a good public relations (PR) exercise.

Now, Mr. Speaker, I need the House and the listening public to understand, that had they said nothing, I would have thought nothing; but I cannot let those remarks go unanswered for two chief reasons:

Firstly, I didn't produce this Bill by myself. In fact, if I had, as I would as a private sector attorney, beavering away at my desk on my own, I might have actually taken their remarks as a compliment, because the art in a law firm—in both law firms I worked in—is to try to produce a document that has intricate provisions and make it look and read simply. Besides, Mr. Speaker, I know coming into this role is to expect off-colour remarks, and I'm prepared—me, personally—to just brush them off. However, I simply cannot allow the painstaking work and solid contributions of so many civil servants, the private sector members, and my colleagues who read and support this, to be besmirched in that manner.

Secondly, Mr. Speaker, in relation to the remark about not having the accompanying Regulations. In my view, it did not convey a complete picture to the listening public. Now, Mr. Speaker, there are a number of tempting ways to respond to those comments, but—

[Inaudible interjection]

Hon. André M. Ebanks: —I refuse to depart from my behavioural standards because others decide to do so.

[Desk thumping]

Hon. André M. Ebanks: In the words of Michelle Obama, *“When they go low, you go high.”*

Mr. Speaker, instead, I will address the Opposition's remarks in this way:

As I turn to thank all who contributed, and summarise, as briefly as possible from the start of this work, I will let the listening public decide after hearing this account, whether this effort was “not much more than a good PR exercise”. From the top, Mr. Speaker, I will thank:

The then Chief-Officer for Community Affairs Teresa Echenique. In 2018, when I joined the Ministry of then Community Affairs, she saw the vision and the internal need to deliver on behalf of the then Government a response to the Office of the Auditor General's (OAG) Report, and authorised me, as the then Deputy Chief Officer, to commence research and analysis.

My right-hand policy partner in the Community Affairs Ministry was Miss Sophy Banner, an extremely bright, articulate Caymanian, who helped in terms of our research. We reviewed the Commonwealth, particularly we reviewed Overseas Territories (OTs) to look for modern financial assistance legislation so we wouldn't have to totally reinvent the wheel. Once we completed that analysis, we settled on the fact of similar economics, similar population size, similar system

of legal drafting and also, similar setup of social services in Bermuda, and looked at their legislation and thought, *this is something that is more easily adaptable for the Cayman Islands.*

At that point, we turned to the Deputy Governor. We were hoping he could arrange a call for us to talk to our counterparts in social services in Bermuda—I will let him stand up for a Point of Order if what I am about to say is untrue—but he looked at us and said, *No, this, this is important. What you need to do is actually go to Bermuda. This is what official travel is meant for.* I don't think he calls Deputy Governors and other Overseas Territories just for giggles. He picked up the phone, called his counterpart DG in Bermuda and arranged for us to meet with—in Bermuda they still call Chief-Officers Permanent Secretaries—and allowed us, namely myself, Sophy Banner, and Tamara Hurlstone, as the NAU Director—to have a site visit in Bermuda.

We then spent time with the Bermuda Financial Assistance Department, their Ministry staff as well as their Department of Children and Family Services and I am here to tell you, and I am sure that Sophy and Tamara will verify, they were some of the most engaging discussions I have ever had on social development. It was an enormous example of the collaboration between OTs, so I would like to thank the Deputy Governor, for seeing the importance of it and picking up the phone and arranging that.

The Permanent Secretary in Bermuda, Wayne Carey, whom I understand has now retired but I will never forget him; he was an extraordinary public servant and I would like to thank him, and his Bermudian colleagues, for assisting Cayman in this way.

Now, Bill development paused, I understand, around late 2019 and into 2020. I wasn't there—I had already moved to London to the post of representative for the country, but I would venture to say that COVID probably would have played a role. However, as the good Lord would have it, I re-entered the picture as the Minister for Social Development in 2021, and was then able to help the new Ministry pick up the baton and really drive things forward.

The new Ministry then started off with extensive consultation. Eight focus groups were formed that consisted of other government departments, non-profit organisations, current and previous clients of NAU, landlords who accept rent for NAU. To really put a point on that, we ensured that we didn't just sort of cherry-pick from the client list, the ones the Deputy Governor referred to who were getting strong service. We said, *“Let's bring in the ones who claim that they are not being served, because either you hear from them now or you hear from them when we go out to put the Bill over the radio, so we might as well bring them into the tent earlier”*, and we heard them, and they made insightful observations. Things that we took on board.

Most of the focus groups lasted from 1-2 hours. Some of them were scheduled for an additional hour

because discussions got so intense, and had an additional date. We thought we were done around about March 2022 (earlier this year) but then, myself and a few other Ministers attended the Alex Panton Foundation symposium and there were such moving speeches from mental health practitioners and also the Youth Ambassadors, that it dawned on me right there and then in the symposium: *Our focus groups have not included mental health practitioners. We haven't included the youth.*

So, as much and as fast as we wanted to move, we took a pause and established a focus group solely for them, and I cannot believe, that as the Lord would have it, this just happens to be International Mental Health Day and it was important to take that step because, as we know, mental health is not something that you can see and touch. It is not tangible, which is probably why we left it out of the first focus group, and the points they made at that symposium and how powerfully, particularly our young Caymanians spoke, left a clear impression that we had to—it was worth to take the time, to create an additional focus group.

Mr. Speaker, as part of that focus group, I would like to thank the professional facilitator that helped to organise and run most of the focus group, a professional firm by the name of Story Studio. Following that, we then had numerous iterations of the draft of the Bill internally and then prepared a full presentation to the political Caucus which was very detailed. I must thank all of my Caucus colleagues for their helpful additions and insightful comments that further improved the Bill. A similar discussion occurred in Cabinet and then allowed us to feel comfortable enough that we had a solid draft for approval and publication—but it didn't stop there, Mr. Speaker.

Following publication of the Bill on 12th August, 2022, consultation continued, including with the Office of the Ombudsman, who also made helpful observations regarding data protection rules which then suggested that it was worth it to bring some helpful Committee Stage Amendments, which we will come to later this evening, to be sure we are on the right line of data protection.

We also had two media roundtables to which all of the main media outlets were invited and got a presentation not just on the Bill, but on our whole approach to revamp the Needs Assessment Unit and the likely provisions that would be included in accompanying Regulations. Thus Mr. Speaker, it didn't surprise me, at the Opposition's press conference, when reporters asked whether they would attend this Meeting for this Bill, because they understood from that consultation how important it was.

Personally—and they can correct me if I'm wrong; I am not friends with any of those reporters and have dinner with them—just listening to how they asked the question, I think I could hear the surprise in their voice. *"You are not going to attend?"* and the reason was they knew, because they attended the

presentation and took part in the consultation, and understood, to the point the Deputy Premier made earlier, how it improves a wholly outdated 1964 law.

Mr. Speaker, to top it off, we offered the Opposition the *same* presentation. The same presentation the political Caucus had; the same presentation the Office of the ombudsman had; the same presentation over two media roundtables, and to receive their view on the Bill—on the likely provision of upcoming accompany regulations. Firstly, on the 9th September of this year, secondly on 12th September of this year, and lastly, on the 15th September of this year, none of which were attended.

[Crosstalk]

Hon. André M. Ebanks: I will repeat for my colleagues, in case they were on their phones.

[Laughter]

Hon. André M. Ebanks: We offered the Opposition the exact same presentation that was given to the political Caucus, given to the Office of the Ombudsman, given to the focus groups and given to two media roundtables, firstly on 9th September, the 12th September and the 15th September, and none were attended.

[Inaudible interjection]

Hon. André M. Ebanks: This year.

Mr. Speaker, those were done in the spirit and offer of true transparency, because we recognise this Bill is to help all of our people, which includes them; so it was in a spirit to be inclusive, and to take them up on their offer of all this experience that they want to offer to us—which now rings hollow, because they never came.

[Inaudible interjection]

Hon. André M. Ebanks: Mr. Speaker, Members of the Opposition, with longer years of experience as parliamentarians than me—some over two decades; who know how difficult it is to bring legislation to the Floor, even an amendment, on a good day—on a good day. To bring forward legislation that leaps frog for fifty years, with all the provisions that I outlined in my contribution...

If they would not be able to resist whatever temptation they were grumpy about at a press conference, to recognise the gargantuan effort that would have happened with me, I am here to tell the listening public that I, Minister for sixteen months, will say *thank you* to the staff, and the private sector and—

[Desk thumping]

Hon. André M. Ebanks: My colleagues, for their contribution. In particular, the Ministry team has been stellar. Acting Chief Officer Tamara Ebanks could not be here, she's isolating with COVID, I hope I wasn't the one who gave it to her, but—

[Laughter]

Hon. André M. Ebanks: I am sure she is listening. The Acting Deputy Chief Officer Rayle Roberts has been an inspiration—thank you.

The entire Ministry of Social Development, as we call it POD, Deborah Webb Sibbles, Ashlyn Goubault-Ebanks, and a special mention to Mehr Petkovsek, her passion and her intellect really drove things forward; and our Communications Officer who is always passionate, always chasing us to get the message out, *"You might do all this work, but if nobody knows about it, then it doesn't amount to much"*—Ms. Kendra Okonski.

The NAU management has been behind the development of the legislation because they know what needs to be done in terms of what happens in practice. We in the policy world will have ideal provisions in our head and they will look at us and say, *"Well, that is not going to work,"* and then help improve the Bill. Led by Tamara Hurlstone, Melissa—who is also isolating with COVID. That's why I think it might have been me.

[Inaudible interjection]

Hon. André M. Ebanks: We had our Ministry retreat and I was wondering if I still had some remnants but anyway, she would have been here if she could because she recognised and was on that journey in Bermuda all those years ago, to get to this step; but her Assistant Director Melissa Smith is here, and Justin Ebanks who is also an Assistant Director is here, and I thank them and I thank all of the staff.

I would like to thank Ms. Dharlene Smith from Legal Drafting who has a very quiet, stern way about her. She has a way to get her point across without making you feel a way... but then you go away thinking, *"She got me"*—

[Laughter]

Hon. André M. Ebanks: *"And maybe we are going to have to change this."* I also know that she was ably supported by Ms. Cheryl Neblett who told me, a very long time ago as a civil servant, *"Minister, this is just something we got to get done"*, so I know that Ms. Cheryl was in the background.

I would like to thank my colleagues for their tacit support and, before I go, regarding the charge of not seeing accompanying Regulations... It has to be covered, because so much of what gives the authority the functions—as the Deputy Governor said, the attachment, of being able to find those who are able,

some form of work to be productive. The Appeals Tribunal, and before you even get to the Appeals Tribunal, the Director's and the Department's powers—offences, penalties, confidentiality.

What's really missing from the Regulations is just one set of regulations to deal with the process of the appeal, the procedure of the appeals tribunal; and another set just for the basic application functions and new features that we are trying to incorporate, of how we assess our people. At this point in our preliminary rough draft, I think both don't really amount to much more than, say, fifteen or sixteen provisions, which is not unusual for substantive legislation and, even though the Opposition missed those opportunities, I will not let it deter from my character. If the Bill is passed tonight, I will still give them an opportunity to review the accompanying Regulations, before Cabinet approves them for publication.

Finally, Mr. Speaker, I turn to share a personal account which I probably wouldn't have done so, if the Deputy Premier didn't make the remarks he did. He mentioned that my comments moved him to speak; his comments have moved me to add this, in conclusion.

In 2018, when I was a Senior Policy Advisor for Financial Services, and saw the post of Deputy Chief Officer for Community Affairs, for some reason it spoke to me. My original love, and my first degree was in Sociology. I had spent significant time, almost five years, in financial services, and I thought it was time for a change. Now, I am sure, Mr. Speaker, each and every one of us have a small group of confidants, a small council of advisers that you go to for your deepest personal decisions and ask them what they think. I have about five, and on this occasion, all said, *"Don't take that job—"*

[Laughter]

Hon. André M. Ebanks: *"It will probably be thankless; you are in a 'sexy Ministry', you deal with high-end large firms; you get to travel, the legislation doesn't really get as tough scrutiny because it is not something that really impacts the grassroots directly. Why would you go? Why don't you just stay, and continue bucking for Chief-Officer in financial services."*

The only one of my small council was my mother, and she said, *"Son, follow your heart; remember your middle name is Martin and for a while—while you were growing up—when you were smaller, you thought I named Martin because I admired Dr. Martin Luther King; but remember, that as you came of age, I reminded you that Martin is your Patron Saint—Martin the poorest, the Peruvian friar who is the Catholic patron saint for social justice, poverty and racial harmony and I've been waiting for a moment in your life, that you could carry that kind of work through so you go, and ignore everybody else and follow your heart."*

Not much longer later, when I was offered the post in London, I struggled with it because I knew that

the work of then Community Affairs was not done, so I called my mother again and said, *"I am sort of being talked into this job. I don't even know if it is really for me—or if I want it; I feel like I'm leaving a Ministry behind because there is so much work to do."*

She said, *"Son, it's probably being given to you by the Lord so that you get an opportunity to view Cayman from the outside looking in; and be able to find out what they do in social justice around the world and apply it home one day. I don't know when that one day will be, but it will be one day."* That coupled with the staff in the London office who, not knowing what my mother said made similar comments that "the role in London is one of those that takes on the identity of the holder" and, "if you believe in social issues, there have got to be things England does better than Cayman that you can learn from, so come do the job." And so said, so done, but I could never have imagined at that point in time, in 2019, that I would ever have arrived to now be the Minister for Social Development.

I share that with you, Mr. Speaker, and the listening public, to say, that for whatever reason, as the Lord would have it, we all are right where we are supposed to be.

[Desk thumping]

Hon. André M. Ebanks: I believe this team, even though there are things we can work on to do better, as the Member for Bodden Town East said last week, yes, there are things that we will do better as we bond, this team of independent thinkers, but I am not persuaded that we have not been divinely placed to think first of the people of this country and to strengthen the grassroots. The Opposition's demeanour at that press conference, that so coldly dismissed legislation of this kind as not much more than a good PR exercise, is indicative of the line of thinking that we are not a part of.

Hence, for now, Mr. Speaker, and for the foreseeable future, I would like to thank all of my colleagues for their support in this matter. There is more to do, and if we hold to the principle of why we started this in the first place—for the strengthening, for social justice, for social equity, for accountability, for competence and transparency, the mission couldn't be clearer, and I thank them for that.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: The question is that a Bill shortly entitled the Financial Assistance Bill, 2022, be given a second reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Financial Assistance Bill, 2022 was given a second reading.

ACCOUNTANTS (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister for Commerce.

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

I beg to move the second reading of a Bill entitled the Accountants (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Honourable Minister wishing to speak thereto?

Hon. André M. Ebanks: Yes, Mr. Speaker, thank you.

Mr. Speaker, I rise on behalf of the Government to present the Bill to amend the Accountants Act, (2020 Revision), which I shall refer to hereon as the principal Act, to update legislative references to enhance the administration of the Principal Act and for incidental and connected purposes.

Mr. Speaker, in line with this Government's Strategic Broad Outcome of improving our financial services as an industry, a product, and an economic driver of our Islands, the Bill aims to maintain our best-in-class reputation.

Since the Accountants Act came into force in 2016, there have been no material amendments. Consequently, there is a need, Mr. Speaker, to update legislative references and to make certain enhancements to make the legislation more practical to administer for the Cayman Islands Institute of Professional Accountants, which I will refer to hereon as CIIPA, and introduce commercial enhancements that benefit the jurisdiction.

The CIIPA has the responsibility in the Cayman Islands for licensing public accountants, registering accountants and accounting firms and monitoring the adherence to continuing professional development requirements for its members. CIIPA's responsibilities, as well as their own goals, prompted their submission of proposals to the Ministry of Financial Services. These proposals were then subject to an extensive legislative process by the Ministry, including consultation and engagement with relevant stakeholders whose valued input was considered during the drafting of this Bill. I will now summarise the key amendments in the Bill.

Limited liability partnerships can now be used to structure professional businesses, including accounting firms. Accordingly, the Bill takes this step into account and includes limited liability partnerships in the definition of "firm of public accountants".

Mr. Speaker, the Bill broadens CIIPA's scope to issue public accountant licences with conditions. Currently, the Act only allows conditions to be attached when issuing a limited duration or temporary licence to a person on a temporary work permit, however, it is recognised that there are other circumstances where it is necessary, and desirable, for CIIPA to be able to issue

a licence with conditions. For example, when a new practitioner has experience that would be sufficient for simple engagements, but not for complex entity engagements.

The Bill provides CIIPA with the ability to impose appropriate conditions on licences and, lastly, the Bill enables a relevant sole practitioner or relevant firm to surrender their registration, and for CIIPA to cancel their registration under appropriate circumstances. The Bill is arranged in nine clauses, Mr. Speaker.

Clause 1 provides the short title and commencement of the legislation.

Clause 2 amends section 2 of the principal Act to change the definition of the term “firm of public accountants” and to insert definitions of the terms “Cayman Islands Business Law Course” and “retired member”.

Clause 3 amends section 8 of the principal Act to extend the qualifications for registration as a member and update legislative references.

Clause 4 inserts in the principal Act a new section 8A which provides the qualifications and procedure for the registration of retired members.

Clause 5 amends section 10 of the principal Act by repealing and substituting subsection (3) to provide for additional persons to make an application for registration as a student.

Clause 6 amends section 11 of the principal Act by inserting a new subsection (3) which provides that a licence issued by the Council of CIIPA for a Caymanian or permanent resident to engage in public practice from, or within, the Cayman Islands, may be subject to such conditions as the Council determines appropriate.

Clause 7 amends Section 12 of the principal Act by inserting a new subsection (2A) which provides that a licence issued by the Council, for a work permit holder to engage in public practice from or within the Islands may be subject to such conditions as CIIPA's council determines appropriate.

Clause 8 amends section 13 of the principal Act to increase the fine for an offence committed under that section.

Clause 9 amends section 38 of the principal Act by inserting a new subsection (5A) which enables a relevant sole practitioner or a relevant firm to apply to the Council to surrender its registration as the sole practitioners or firm, which is subject to the Institute's (as defined in the Principal Act) system of oversight, quality assurance, investigation and penalties. The Council may then approve the surrender or cancel the registration.

Mr. Speaker, this concludes my presentation of the proposed Bill. In winding up, I want to convey sincere and special thanks to the Member for West Bay Central because, although I am the official Member in charge of the Bill, the preparations done to date, to this point, were managed by the Member for West Bay Central in her capacity as the Parliamentary Secretary for

Financial Services. From April of this year, when Cabinet approved drafting instructions, I delegated day to day supervision of the Bill making process to the Parliamentary Secretary, to gain ministerial experience in relation to the legislative-making process. I then returned to conduct an overall review before taking the Bill to Cabinet for approval and publication.

Therefore, Mr. Speaker, the Bill is mainly a product of her supervision and—

[Desk thumping]

Hon. André M. Ebanks: An example of teamwork providing opportunities, within our own team, for growth and professional development—thank you, Madam.

Hon. Katherine A. Ebanks-Wilks: Thank you.

[Desk thumping]

Hon. André M. Ebanks: With that, Mr. Speaker, I commend the Accountants (Amendment) Bill, 2022 to this honourable House for its second reading.

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak? The Parliamentary Secretary, the Member for West Bay Central.

Hon. Katherine A. Ebanks-Wilks: Thank you, Mr. Speaker, I want to rise briefly to support this Bill and to publicly thank the Minister for entrusting me to take care of the matter. Also, thank CIIPA Board's chair, CEO Sheree Ebanks; and also our Ministry staff and all of the other individuals who had their hand in ensuring that this Bill made it to the Floor today.

Thank you.

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Does the Minister wish to use his right of reply?

Hon. André M. Ebanks: Only briefly, Mr. Speaker, to thank Members for their tacit support.

The Speaker: The question is that a Bill shortly entitled The Accountants (Amendment) Bill, 2022, be given a second reading. All those in favour please say, Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Accountants (Amendment) Bill, 2022 was given a second reading.

LIMITED LIABILITY COMPANIES (AMENDMENT) BILL, 2022

The Speaker: Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, I beg to move the second reading of a Bill entitled the Limited Liability Companies (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Honourable Minister.

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

Mr. Speaker, I rise on behalf of the Government, to present a Bill that seeks to amend the Limited Liabilities Company Act (2021 Revision), which I shall refer to hereon as the principal Act, to ensure [that] only the names of initial members of a limited liability company are recorded in the registration statement.

The Bill also seeks to require a limited liability company to keep a record of the interests held by, and the voting rights of, each Member of a limited liability company.

Finally, the Bill seeks to remove the duplicate penalty for failure to comply with the request of the competent authority for additional information and for incidental and connected purposes.

Mr. Speaker, the main purpose of the Bill is to comply with the standards of the Financial Action Task Force (FATF). The FATF is the international body responsible for the development of global standards for anti-money laundering and counter terrorist financing. The FATF publishes these standards in a set of recommendations and the Cayman Islands, as a Member of the Caribbean Financial Action Task Force (CFATF), is committed to their implementation.

Mr. Speaker, the first amendment in the Bill relates to the FATF Recommendation 24 which requires that a company maintains a register of its shareholders or members containing the names of the shareholders and members, and number of shares held by each shareholder and categories of shares, including the nature of the associated voting rights.

Mr. Speaker, CFATF conducted a mutual evaluation of the Cayman Islands technical implementation of this requirement in 2019 and found that there was no requirement for companies to maintain information in respect of the nature of associated voting rights. This deficiency was addressed for entities incorporated under the Companies Act by the Companies (Amendment) Act, 2019, however, the change did not apply to limited liability companies. The Bill seeks to correct this issue by amending section 61 of the principal Act to require information relating to members of a limited liability company to be recorded in the register, including the nature of associated voting rights.

Mr. Speaker, the next change seeks to correct an issue which was identified during a review of the principal Act by the Ministry in response to observations made by respected senior practitioners.

Section 5(2) of the principal Act requires that the names and addresses of the members of a limited liability company are to be recorded in its registration statement, and section 8(1) of the principal Act requires this information to be updated when there is a change. Further, section 5 (2A) of the principal Act instructs the general registry to make the information contained in the registration statement public. This has the effect of requiring that the names of any members of the limited liability company are made public. Mr. Speaker at present, the FATF standards do not require information to be made available [to the] public, therefore, as that is not a requirement to date, we seek to bring the Limited Liability Companies in line with the Companies.

Mr. Speaker, the final provisions to the Principal Act pertains to subsection 90A (3), which outlines the penalties for the default in complying, failure to provide beneficial ownership information on receipt of a notice from a competent authority. The Attorney General's Chambers advised that this provision should be deleted, as penalties are sufficiently covered in the beneficial ownership administrative fines regime which commenced in October, 2020. The administrative fines regime provides the Registrar with the power to issue a fine of \$5,000 to a person who breaches their obligations relating to beneficial ownership, including section 90A of the principal Act.

Importantly, Mr. Speaker, the Bill was developed in consultation with the Ministry and relevant implementing agencies including, of course, the General Registry. Industry stakeholders were consulted in December of 2020 with respect to the addition of the nature of associated voting rights and the register of members; valuable feedback was received and changes were made to the Bill at that time, to better reflect the peculiarities of Limited Liability Companies. A revised Bill was sent for industry consultation in April of this year, and no further comments were received.

Accordingly, Mr. Speaker, the Bill is arranged in four clauses.

Clause 1 provides the short title of the legislation.

Clause 2 amends section 5 of the principal Act to provide the names and addresses of the initial members of a limited liability company to be included in the registration statement.

Clause 3 amends section 61 of the principal Act by repealing subsection (1) and substituting a new subsection (1) to require a limited liability company to maintain in the register kept at its registered office or any other place within or outside the Cayman Islands, information on the interest held by each member of the limited liability company.

Clause 3 amends section 61(2) of the principal Act to require a limited liability company to maintain the information contained in the register of members under section 61(1) at its registered office where the register of members is kept at a place other than its registered office.

Clause 4 amends section 90A of the principal Act by repealing subsection (3) which prescribes the penalty for a limited liability company or corporate services provider which fails to comply with a request for additional information by the competent authority.

Mr. Speaker that concludes my presentation of the Bill.

In closing, I want to thank, as ever, all of the Ministry staff and the Legislative Drafting Department for their efforts with respect to the design and preparation of the Bill and, importantly, industry stakeholders for their astute observations and suggestions to improve the Bill.

I therefore commend the Limited Liability Company (Amendment) Bill, 2022 to this honourable House for its second reading.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak if not—the Honourable Attorney General.

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

Just to go on record as providing support to the Honourable Minister, and the Ministry, for taking the steps to, as he said, bring the legislation in line with the contemplation of the FATF standards.

Mr. Speaker, as you and Honourable Members of this House are well aware, this is a rolling effort, so to speak, with these ever-evolving standards, and I certainly want to thank the Minister and the Ministry for their vigilance and their willingness to do what is necessary to ensure that all legislation are ever compliant with the 40 recommendations of the FATF.

It is an excellent example of working partnerships with the Ministry, the Chambers, Anti-money Laundering Units, and other stakeholders including, as you mentioned, members of the private sector who are quite aware of the importance of ensuring that our legislation are compliant, as it speaks well for our international reputation as a financial services centre.

The amendments, or “tweaking”, of the legislation is quite important, quite timely, and I understandably want to unequivocally give my support to the amendments.

Thank you.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? *[Pause]* If not, does the Honourable Minister wish to reply?

Hon. André M. Ebanks: Very briefly, Mr. Speaker, thank you. To thank the Honourable Attorney General for his vocal support and to my colleagues for their tacit support.

The Speaker: The question is, that a Bill shortly entitled the Limited Liability Companies (Amendment) Bill,

2022 be given a second reading. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Limited Liability Companies (Amendment) Bill, 2022 was given a second reading.

EDUCATION (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Education.

Hon. Juliana Y. O’Connor-Connolly, Minister of Education and District Administration and Lands, Elected Member for Cayman Brac East: Thank you, Mr. Speaker.

Mr. Speaker, I move the Bill for an Act to amend the Education Act, 2016 to require all the schools to formulate an Anti-Bullying Policy and for incidental and connected purposes.

The Speaker: The Bill has been duly moved. Is the Honourable Minister speaking thereto?

Hon. Juliana Y. O’Connor-Connolly: Thank you, Mr. Speaker.

In the interest of time, I will be speaking briefly and I will be giving way to my esteemed Parliamentary Secretary for Education, who has been the mover and pusher for this piece of legislation, to come before this honourable House to flesh out the details.

Mr. Speaker, the Education (Amendment) Bill, 2022 amends the Education Act, 2016, referred to as the principal Act to require that all schools formulate an Anti-Bullying Policy.

Clause 1 provides for the short title and commencement of the legislation.

Clause 2 amends the definition of “disciplinary penalties” in section 2 of the principal Act to include penalties imposed on the student by a school for contravention by that student of the school’s Anti-Bullying Policy.

Clause 3 inserts a new section 27A into the principal Act to require every school to have a written Anti-Bullying Policy based on the national policy and other prescribed requirements. The Anti-Bullying Policy must be approved by the Ministry of Education.

Clause 3 also gives the Cabinet the power to make regulations prescribing as follows—

- (a) the contents of the Anti-Bullying Policy;
- (b) the reporting and notification requirements in relation to the said bullying;
- (c) the investigation procedures in relation to the bullying;
- (d) the form of the disciplinary penalties to be imposed for breaches of an Anti-Bullying Policy;

- (e) the procedures for the enforcement of the disciplinary penalties;
- (f) all matters that may be necessary for giving effect to the disciplinary mechanisms; and
- (g) the submission of reports on bullying.

Mr. Speaker, it's a very small Bill as far as the drafting is concerned, but we believe it is going to make a colossal impact when it is implemented and the associated regulations are put in for those in the schools. Before I ask Members to give their undivided attention to my Parliamentary Secretary's contribution, the Member for West Bay Central, I'd like to say that bullying is not restricted just to the schools, it is a tri-party investment and all and sundry should play their part in the elimination thereof.

I thank you.

The Speaker: Does any other Member wish to speak? *[Pause]* The honourable Parliamentary Secretary for Education, the Member for West Bay Central.

Hon. Katherine A. Ebanks-Wilks, Parliamentary Secretary to Education: Thank you, Mr. Speaker. I stand tonight to support the Education (Amendment) Bill, 2022 which was just Tabled by the Honourable Minister of Education.

Mr. Speaker, as the Minister just mentioned, this Bill seeks to amend the Education Act, 2016, to require all schools to have a written Anti-Bullying Policy, based on national policy, which must be approved by the Ministry of Education.

The Minister of Health was excited to be Tabling her Bill on Mental Health Day and in speaking of anti-bullying, I have the joy of sharing something similar, as October is National Bullying Prevention Month; so it's fitting for me to be able to stand here this evening to speak about this piece of legislation.

Mr. Speaker, as the Minister of Education just said, this Bill also provides for Cabinet to make regulations to prescribe the required contents of the Anti-Bullying Policy, the reporting and notification requirements on any bullying behaviour, and the investigation procedures in relation to any incidents of bullying. Additionally, the regulations will set out the procedures for the enforcement of the disciplinary penalties and all matters for giving effect to the disciplinary mechanisms. It also provides for the submission of reports on incidents of bullying in the schools.

Mr. Speaker, as all of my colleagues know, this piece of legislation is very important to me, and I would like to speak briefly on how having this legislation can reduce bullying behaviour in our schools. Albeit, as the Minister just mentioned, we have bullying behaviour not just in our schools but in the workplace and many other areas, I think that this is—

[Inaudible interjection]

Hon. Katherine A. Ebanks-Wilks: Yes, definitely cyberbullying as well, but I think this is a great start for us as the Government.

This legislation also provides a holistic approach to addressing the cause of bullying behaviour by allowing various agencies such as counsellors and the Department of Children and Family Services to be involved with all parties of the incidents of bullying. This would be the parents, the student with the bullying behaviour, and the student who has been affected by this behaviour.

Mr. Speaker, this will hopefully aid in the removal of the bullying behaviour by identifying any matter that might cause a student to act out; by addressing these problems early, the various agencies are able to offer the support to the students and hopefully reduce the chance of our students going through the system with unidentified emotional delinquencies.

Mr. Speaker, many of the young people who have taken their lives have done so because they were bullied, and they felt that the only way to ease the pain was to take their own lives.

Mr. Speaker, if we look at individuals who have been imprisoned, many will tell you that they too, bullied someone at some point in their childhood; and those who have been incarcerated were also once a child that was acting out because they were facing some sort of situation that they needed some help to address.

Mr. Speaker, this very important Bill, as the Minister said, may seem small, but as the Jamaican say, *it talawa*.

I would like to thank the Minister of Education for allowing me the opportunity to work along with her and the Ministry staff to contribute to this amendment.

I would also like to acknowledge the former Director of the Law Reform Commission, Ms. Cheryl Neblett and the current Director of the Law Reform Commission, Mr. Jose Griffith; and former senior Legislative counsel, Ms. Karen Stephen-Dalton, and each of the law commissioners who have spent much time reviewing the amendment law and the draft regulations, along with various stakeholder feedback.

Mr. Speaker, I want to touch briefly on the Law Reform Commission. I gained an appreciation of this agency within government after spending some time there as a member of staff, and I don't think that we, as parliamentarians, appreciate enough the type of work they do. If we look at the work they have spent extended periods of time on—some of which has not gotten any further than a final report. I mean, if we look at some of the reports they drafted many, many years ago, they are still very relevant today, so I want to acknowledge them and all their hard work tonight.

Lastly, Mr. Speaker, I would like to thank the people who continue to exercise what I refer to as "People Power", right here in our country. In this instance, I want to acknowledge Mrs. Janet Young, her husband,

Mr. Sam Young; Ms. Sabrina Tyndale, Ms. Rachel Morris and Mr. Mark Green—all founding members of United Against Bullying Foundation—who continually give of their time to fight, to raise awareness on the need for anti-bullying legislation, and who dedicate much of their time to visit our schools to sensitise our young people on the effects that bullying behaviour has on students and their families.

Going back to what we said earlier, it would be nice if we could have some individuals visiting some of the workplaces and sensitising some of our adults on what bullying does within the work force; but we will get there.

With that being said, Mr. Speaker, I thank the Minister for bringing the Bill to this honourable House, and I thank my colleagues for their support.

[Desk thumping]

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] If not, I will call on the Honourable Minister for her right of reply.

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

I also wish to go on record and thank the Parliamentary Secretary for her contribution and for expressing and conveying our gratitude to the legal draft persons, the Law Reform Commission and the ministerial staff; and of course, to our colleagues, who supported the navigation thereof to where it is currently.

Mr. Speaker, we believe that once the Regulations are put in place at the Cabinet level and into the implementation stage, we can begin to see a real change in the bullying that goes on, as I said, not just in the schools but at home, churches, work-place, and even at the highest echelons within the land. We believe that it's everybody's business, in order to neutralise and have zero tolerance towards bullying, and we in the Ministry, and indeed the PACT Government are committed to no less than that, Mr. Speaker.

I wish to commend the conclusive passage of the second reading of this to all honourable Members.

Thank you, Mr. Speaker.

The Speaker: The question is, that a Bill shortly entitled the Education (Amendment) Bill, 2022, be given a second reading. All those in favour, please say, Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Education (Amendment) Bill, 2022 has been given a second reading.

The Speaker: The House will now go into Committee to consider the bills.

House in Committee at 8:09 pm

[Hon. W. McKeeva Bush, Chairman]

COMMITTEE ON BILLS

The Chairman: Please be seated.

The House is now in Committee Stage, and with the leave of the House may I assume that as usual we should authorise the Honourable Attorney General (AG) to correct minor errors and such the like in the Bills.

We begin. Madam Clerk please state the Bill and clauses.

TRAFFIC (AMENDMENT) BILL, 2022

The Clerk:

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| Clause 1 | Short title |
| Clause 2 | Amendment of section 2 of the Traffic Act (2021 Revision) - Interpretation |
| Clause 3 | Transitional provisions. |

The Chairman: Is there any question on these clauses? If not, I will put the question. The question is that clauses 1 to 3 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk: A Bill for an Act to amend the Traffic Act (2021 Revision) to change the definition of prescribed limit; and for incidental and connected purposes.

The Chairman: Question is that the title do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

THE MENTAL HEALTH (AMENDMENT) BILL, 2022

The Clerk: The Mental Health (Amendment) Bill, 2022.

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| Clause 1 | Short title and commencement. |
| Clause 2 | Amendment of section 2 of the Mental Health Act (2022 Revision) - Interpretation. |

The Chairman: The question is, that clauses 1 and 2 do stand part of the Bill. All those in favour, please say Aye, those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: Clauses 1 and 2 passed.

The Clerk: Clause 3, Amendment of section 66 - Emergency detention order.

Amendment to Clause 3

The Chairman: The Honourable Attorney General.

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

Mr. Chair, no written notice having been provided, I seek your leave to make a slight amendment to clause 3 of the Bill pursuant to Standing Order 52 (2). I have spoken to the Honourable Minister and she is aware of the proposal, as it relates to clause 3 and the proposed section 6(1) amendment.

The amendment Mr. Speaker, is in respect of where the word "directing" appears. It reads "prescribed form directing a constable"; the proposed amendment is to delete the word "directing" and therefore substitute "authorising".

The Chairman: It's a change of one word, right? I have given permission for the amendment but can the Committee accept that we take it as is? As the AG has...

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

The Chairman: In clause 3. I think that the Clerk did not get exactly where. In clause 3... where is the word change? 3A.

[Inaudible interjection]

The Chairman: Authorising or authorised? Authorising a constable.

As I said, the amendment has been given permission and has been duly moved. Anyone wishing to speak thereto? If no Member wishes to speak, the question is that the amendment stands part of the clause. All those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: The amendment passed.

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

AYES.

The Chairman: The Ayes have it.
Agreed: Clause 3 as amended passed.

The Clerk:

Clause 4 Repeal and substitution of section 7 - Apprehension of a person suspected to be a danger

Clause 5 Amendment of section 9 - treatment order.

The Chairman: The question is that clauses 4 and 5 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: Clauses 4 and 5 passed.

The Clerk:

Clause 6 Amendment of section 12 - Assisted outpatient treatment order.

Amendment to Clause 6

The Chairman: The Honourable Attorney general.

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

Mr. Chairman, no notice having been being provided I seek your leave pursuant to Standing Order 52 (2) to make a Committee Stage amendment to clause 6, line 4 by deleting the word "directing" and substituting therefore the word "authorising".

The Chairman: The permission has been granted and therefore the amendment is now moved. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.
Agreed: The amendment passed.

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

AYES.

The Chairman: The Ayes have it.
Agreed: The amendment passed.

The Chairman: The question is that clause 6 as amended, stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 6 as amended passed.

The Clerk:

Clause 7 Repeal and substitution of section 16 - postal restrictions.

The Chairman: The question is that clause 7 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 7 passed.

The Clerk: A Bill for an Act to amend the Mental Health Act (2022 Revision) to clarify the procedure relating to emergency detention orders; to provide for orders for protective custody; to provide for restrictions on access to electronic networks by patients; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

MENTAL HEALTH COMMISSION (AMENDMENT) BILL, 2022

The Clerk:

Clause 1 Short title and commencement.
Clause 2 Amendment of section 7 of the Mental Health Commission Act, 2013 - Functions of Commission - quasi-judicial.

The Chairman: The question is that clauses 1 and 2 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 and 2 passed.

The Clerk: A Bill for an Act to amend the Mental Health Commission Act, 2013 as a consequence of the

enactment of the Mental Health (Amendment) Act, 2022; and for incidental and connected purposes.

The Chairman: The question is that the title stands part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

FINANCIAL ASSISTANCE BILL, 2022

The Clerk:

Clause 1 Short title and commencement.

The Chairman: The question is that clause 1 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

The Chairman: The Ayes have it.

Agreed: Clause 1 passed.

The Clerk:

Clause 2 Interpretation.

Amendment to Clause 2

The Chairman: The Honourable Minister.

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

In accordance with the provisions of Standing Order 52 (1) and (2), I ask for leave to give notice, and I am providing notice of the following Committee Stage amendments, and one is in relation to clause 2(1) of the Bill as follows:

By deleting the definition of the word “guardian”, and substituting the following definition: “Guardian means a person who lives with a dependent, and who has the charge of, and who is responsible for, the care and wellbeing of the dependent”, and by deleting the definition of the words “personal data”.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question is that clause 2 as amended do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 2 as amended passed.

The Clerk:

Clause 3	The Department of Financial Assistance
Clause 4	Functions of the Department
Clause 5	Powers of the Department
Clause 6	Director and other officers of the Department
Clause 7	Duties and responsibilities of the Director
Clause 8	Minister may give written policy directions.

The Chairman: The question is that clauses 3 to 8 do stand part of the Bill. If there is no debate, all those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 3 to 8 passed.

The Clerk:

Clause 9	Entity or financial institution to provide information to the Director.
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Amendment to Clause 9

The Chairman: The Honourable Minister.

Hon. André M. Ebanks: Mr. Chair, in line with the notice of Committee Stage amendments there is also a Committee Stage amendment to clause 9.

I should mention, for the purposes of this committee, as I mentioned in my contribution to the debate [that] these changes emanate from consultation with the Office of the Ombudsman to ensure that the Bill is in line with data protection rules.

As it relates to Clause 9, the Bill would be amended in clause nine as follows:

- By deleting the words “with the consent of an applicant or a recipient”, and substituting the words “where authorised in writing by, or on behalf of an applicant, a recipient, or a member of the household of the applicant or recipient”;
- By inserting after the words “a financial institution”, the words “in respect of such a person”.

The Chairman: The question is that the amendment stands part of the clause. All those in favour. Please say, aye. Those against No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: If no one wishes to speak, the question is that clause nine as amended, stand part of the Bill. All those in favour, please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 9 as amended passed.

The Clerk:

Clause 10	Persons who may make an application
Clause 11	Evaluation and determination of application
Clause 12	Grant of application
Clause 13	Refusal or application

The Chairman: The question is that clauses 10 to 13—am I right, that there is an amendment for 14? Yes. Clauses 10 to 13 stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 10 to 13 passed.

The Clerk:

Clause 14	Conditions attached to the receipt of financial assistance.
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Amendment to Clause 14

The Chairman: The Honourable Minister.

Hon. André M. Ebanks: Thank you Mr. Speaker.

In line with our notice I move that the Bill be amended in clause 14(4) as follows:

- By deleting the words “notwithstanding subsection (3), where” and substituting the word “where”;
- In paragraph (a) by deleting the word “only”; and
- By deleting paragraph (b) and substituting the following paragraph:
 - Shall be entitled to receive details or information relating to the assessment, examination, or treatment of the recipient or the relevant member of the recipient’s household which may be reasonably required in the exercise of the Director’s duties and responsibilities and functions under this Act.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: If there's no debate, the question is that Clause 14, as amended, stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 14 as amended, passed.

The Clerk:

Clause 15	Suspension of financial assistance
Clause 16	Revocation of financial assistance
Clause 17	Variation of financial assistance
Clause 18	Reconsideration of decision
Clause 19	Appointment and constitution of the Financial Assistance Appeals Tribunal
Clause 20	Appointment of secretary
Clause 21	Tenure of Appeals Tribunal
Clause 22	Vacation of office
Clause 23	Disclosure of interest
Clause 24	Functions of the Appeals Tribunal
Clause 25	Powers of the Appeals Tribunal

The Chairman: The question is that clauses 15 through 25 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 15 through 25 passed.

The Clerk:

Clause 26	Confidentiality of information by officers.
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Amendment to Clause 26

The Chairman: The Honourable Minister.

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

Pursuant to our notice, I move that the Bill be amended in clause 26 as follows:

In sub clause 1 as follows: By deleting the word "personal".

In paragraph A by deleting the word "and"; and at the end of the paragraph by deleting paragraph B; and in paragraph C, by deleting the words "from other sources", and substituting the words "through lawful means".

In addition, Mr. Chairman, in sub clause 2 be amended as follows: By deleting the word "personal"; also, in paragraph B, by inserting the word "or" at the end of the paragraph; and by deleting paragraphs c and

d and substituting the following paragraph: "Having regard to the rights and freedoms or legitimate interests of a person the disclosure is necessary in the public interest, and is:

"made by the director or person authorised in writing by the director to issue external communications on behalf of the department and limited to the information necessary to correct false information publicly issued by a person in relation to:"

"The manner in which that person's application is being or has been dealt with, or the conduct of the department or an officer of the department in the officer's official capacity"; and in sub clause 3 by deleting the word "personal".

The Chairman: The amendment has been duly moved and if no Member wishes to speak, the question is that the amendment stands part of the clause. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question is now that Clause 26 as amended, stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 26 as amended passed.

The Clerk:

Clause 27	Duty of confidentiality by the Appeals Tribunal.
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Amendment to Clause 27

The Chairman: The Honourable Minister.

Hon. André M. Ebanks: That pursuant to our notice, Mr. Chair, the Bill be amended in clause 27 (1) by inserting, after the word "jurisdiction", the words "or where required by law."

The Chairman: The amendment has been duly moved. Does any Member wish to speak? If not, the question is that the amendment stands part of the clause; all those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question now, if no one wishes to speak, is that clause 27, as amended, stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 27 as amended passed.

The Clerk:

Clause 28	Providing false or misleading information
Clause 29	Recovery of money improperly paid or overpaid
Clause 30	Financial assistance inalienable
Clause 31	Government not liable to supplier of goods and services
Clause 32	Death of recipient
Clause 33	Non-transferability of financial assistance

The Chairman: The question is that clauses 28 to 33 Let me do that numbering again, for belt and braces' sake. Clauses 28, 29, 30, 31, 32, and 33 do stand part of the Bill. All those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 28 through 33 passed.

The Clerk:

Clause 34	Regulations
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Amendment to Clause 34

The Chairman: The Honourable Minister.

Hon. André M. Ebanks: Thank you, Mr. Chair and, finally, that pursuant to our notice, the Bill be amended in clause 34(1) as follows: In paragraph n by deleting the full stop at the end of the paragraph and substituting the words "and"; and, by inserting after paragraph n the following paragraph:

"o. For matters related to the disclosure of data or information under section 26 (2) (c)".

The Chairman: The amendment has been moved. If no one wishes to speak, the question is that the amendment stands part of the clause. All those in favour, please say Aye. Those against No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question now is that clause number 34 as amended stand part of the Bill. All those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 34 as amended passed.

Clause 35	Repeal of Poor Persons (Relief) Act, (1997 Revision)
Clause 36	Savings and transitional provisions

The Chairman: The question is that clauses 35 and 36 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 35 and 36 passed.

The Clerk: A Bill for an Act to repeal the Poor Persons (Relief) Act (1997 Revision); to provide for the continuance of the Needs Assessment Unit as the Department of Financial Assistance; to introduce a new procedure in respect of applications for and the issuance of financial assistance; to provide for a Financial Assistance Appeals Tribunal; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

ACCOUNTANTS (AMENDMENT) BILL, 2022

The Clerk:

Clause 1	Short title and commencement
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The Chairman: The question is that clause 1 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 1 passed.

The Clerk:

Clause 2	Amendment of section 2 of the
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Accountants Act (2022 Revision) -
Interpretation

Amendment to Clause 2

The Chairman: Honourable Minister.

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

In accordance with the provisions of Standing Order 52(1) and (2), I give notice of the following amendment to the Accountants (Amendment) Bill, 2022: That the Bill be amended in clause 2 by inserting after the words "is amended", the words "in Section 2"—just a small edit.

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

The question then, is that the amendment stand part of the clause. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The amendment passed.

The Chairman: The question is that clause 2, as amended, stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 2, as amended, passed.

The Clerk:

Clause 3	Amendment of section eight - Registration of members and renewal of membership.
Clause 4	Insertion of section 8A - Registration of retired members.
Clause 5	Amendment of section 10 - Registration of students and renewal of membership
Clause 6	Amendment of section 11 - Licensing of Caymanians and permanent residents
Clause 7	Amendment of section 12 - Licensing of work permit holders
Clause 8	Amendment of section 13 - Practicing without a licence to be an offence.
Clause 9	Amendment of section 38 - Oversight procedures

The Chairman: Question is that clauses 3 through 9 do stand part of the Bill. All those in favour please say, Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 3 to 9 passed.

The Clerk: A Bill for an Act to amend the Accountants Act (2020 Revision) to update legislative references; to enhance the administration of the Act; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

LIMITED LIABILITY COMPANIES (AMENDMENT) BILL, 2022

The Clerk:

Clause 1	Short title
Clause 2	Amendment of section 5 of the Limited Liability Companies Act (2021 Revision) - formation
Clause 3	Amendment of section 61 - register of members
Clause 4	Amendment of section 90A - requests for additional information.

The Chairman: The question is that clauses 1 to 4 do stand part of the Bill. All those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 4 passed.

The Clerk: A Bill for an Act to amend the Limited Liability Companies Act (2021 Revision) to vary the information required in the registration statement of a Limited Liability company; to require a Limited Liability company to keep a record of the interest held by and the voting rights of each member of the Limited Liability Company; to remove the penalty for failure to comply with the request by the competent authority for additional information; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

EDUCATION (AMENDMENT) BILL, 2022**The Clerk:**

- Clause 1 Short title and commencement
Clause 2 Amendment of section 2 of the Education Act, 2016 - interpretation
Clause 3 Insertion of section 27A in the Education Act, 2016 - Anti-Bullying policy.

The Chairman: The question is that clauses 1, 2 and 3 do stand part of the Bill. All those in favour please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk: A Bill for an Act to amend the Education Act, 2016 to require all schools to formulate an Anti-Bullying policy; and for incidental and connected purposes.

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

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

The Chairman: The question now is that the Bills be reported to the House. All those in favour, please say Aye. Those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The Bills to be reported to the House.

The Chairman: This ends the business in committee.

House resumed at 8:47 pm

The Speaker: Please be seated. The House has now resumed continuing its business.

REPORT ON BILLS**TRAFFIC (AMENDMENT) BILL, 2022**

The Speaker: The Honourable Premier.

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

Mr. Speaker, I rise to report that a Bill shortly entitled the Traffic (Amendment) Bill, 2022 was

considered by a committee of the whole House and passed without amendment.

The Speaker: The Bill has been duly reported and is set down for the third reading.

MENTAL HEALTH (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Health.

Hon. Sabrina T. Turner: Mr. Speaker, I rise to report that a Bill titled Mental Health (Amendment) Bill, 2022 was considered by a committee of the whole House and was passed with amendments.

The Speaker: The Bill has been duly reported and is set down for the third reading.

MENTAL HEALTH COMMISSION (AMENDMENT), BILL 2022

The Speaker: Honourable Minister of Health.

Hon. Sabrina T. Turner: Thank you, Mr. Speaker.

I rise to report that a Bill shortly entitled Mental Health Commission (Amendment) Bill, 2022 was considered by a committee of the whole House and passed without amendments.

The Speaker: The Bill has been duly reported and is set down for third reading.

FINANCIAL ASSISTANCE BILL, 2022

The Speaker: The Honourable Minister of Financial Services, Commerce and Social Development.

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

I am pleased to report that a Bill shortly entitled the Financial Assistance Bill, 2022 was considered by a committee of the whole House and passed with amendments.

The Speaker: The Bill has been duly reported and is set down for the third reading.

ACCOUNTANTS (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

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

I am pleased to report that a Bill shortly entitled the Accountants (Amendment) Bill, 2022 was considered by a committee of the whole House and was passed with amendments.

The Speaker: The Bill has been duly reported and is set down for the third reading.

**LIMITED LIABILITY COMPANIES
(AMENDMENT) BILL, 2022**

The Speaker: The Honourable Minister of Financial Services.

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

I am pleased to report that a Bill entitled the Limited Liability Companies (Amendment) Bill, 2022 was considered by a committee of the whole House and passed without amendments.

The Speaker: The Bill has been duly reported and is set down for the third reading.

EDUCATION (AMENDMENT) BILL, 2022

The Speaker: The honourable Minister of Education.

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

Mr. Speaker, I rise to report that a Bill shortly entitled the Education (Amendment) Bill, 2022 was considered by a committee of the whole House and passed without amendment.

The Speaker: The Bill has been duly reported and is set down for the third reading.

I think we need a suspension of Standing Orders. Honourable Premier.

**Suspension of Standing Order 47
(To allow Bills to be given a third reading
on the same day)**

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

I rise to move the suspension of Standing Order 47, to allow Bills to be given a third reading on the same day. Thank you.

The Speaker: The question is that Standing Order 47 be suspended in order to have all the readings of the Bills. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 47 suspended.

THIRD READINGS**TRAFFIC (AMENDMENT) BILL 2022**

The Speaker: The Honourable Premier.

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

Mr. Speaker, I beg to move that a Bill shortly entitled the Traffic (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Traffic (Amendment) Bill 2022 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Traffic (Amendment) Bill, 2022 passed.

MENTAL HEALTH (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Health

Hon. Sabrina T. Turner: Mr. Speaker, I beg that the Bill titled Mental Health (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Mental Health (Amendment) Bill, 2022 be given a third reading and passed. All those in favour please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Mental Health (Amendment) Bill, 2022 passed.

**MENTAL HEALTH COMMISSION
(AMENDMENT) BILL, 2022**

The Speaker: the Honourable Minister of Health.

Hon. Sabrina T. Turner: Thank you, Mr. Speaker.

I beg that the Bill titled Mental Health Commission (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is, that a Bill shortly entitled the Mental Health Commission (Amendment) Bill, 2022 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Mental Health Commission (Amendment) Bill, 2022 passed.

FINANCIAL ASSISTANCE BILL, 2022

The Speaker: The Honourable Minister of Financial Services, Commerce and Social Development.

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

I beg to move that a Bill shortly entitled the Financial Assistance Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Financial Assistance Bill, 2022 be given a third reading and passed. All those in favour, please say, Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Financial Assistance Bill, 2022 passed.

ACCOUNTANTS (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you Mr. Speaker.

I beg to move that a Bill shortly entitled the Accountants (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Accountants (Amendment) Bill, 2022 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Accountants (Amendment) Bill, 2022 passed.

LIMITED LIABILITY COMPANIES (AMENDMENT) BILL 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you Mr. Speaker.

I beg to move that a Bill shortly entitled the Limited Liability Companies (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Limited Liability Companies (Amendment) Bill, 2022 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Limited Liability Companies Amendment Bill, 2022 passed.

EDUCATION AMENDMENT BILL, 2022

The Speaker: The Honourable Minister of Education.

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

Mr. Speaker, I beg to move that a Bill shortly entitled the Education (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Education (Amendment) Bill, 2022 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Education (Amendment) Bill, 2022 passed.

MOTIONS

GOVERNMENT MOTION NO. 1/2022-2023 AMENDMENT TO THE DEVELOPMENT PLAN 1997 - PROPOSED REZONING: WEST BAY BEACH NORTH, BLOCK 11B PARCEL 55, WEST BAY BEACH NORTH, BLOCK 11B PARCEL 58, WEST BAY BEACH NORTH, BLOCK 11B PARCEL 79

The Speaker: The Honourable Minister of Planning.

Hon. Johany S. Ebanks, Minister for Planning: Mr. Speaker, I rise on behalf of the Government to move Government Motion No. 1/2022-2023 amendment to the development plan 1997 proposed rezoning: West Bay Beach North, Block 11B Parcel 55; West Bay Beach North Block 11B Parcel 58; West Bay Beach North Block 11B Parcel 79.

WHEREAS on the 28th of October, 2020 (reference CPA/18/20; item 3.1) The Central Planning Authority (CPA) originally considered the request to amend the Development Plan from Neighbourhood Commercial to Hotel/Tourism over Block 11B Parcel 55 and Block 11B Parcel 58 and 11B Parcel 79. It was resolved to forward the proposal for 60-day public notification and consultation period pursuant to Section 11(2) of the then Development and Planning Act (2017 Revision);

AND WHEREAS the proposed amendments were duly advertised in the Caymanian Times newspaper on the 11th, 13th, 18th, and 20th of November 2020, in accordance with Section 11(2) of the Development and Planning Law (2017 Revision), with public consultation closing on January 19th, 2021. Persons were invited to view the application at the Department of Planning for comment. During

this public consultation period no letters of objection were received on the proposed amendment;

AND WHEREAS on the 3rd of February 2021 (CPA/03/21; item 3.1) the Central Planning Authority again considered the proposal and in light of receiving no objections it was resolved to forward the rezone application to the Ministry of Planning, Agriculture, Housing and Infrastructure for onward transmission to the House of Parliament, subject to Cabinet approval;

AND WHEREAS on 23rd of August 2022, Cabinet considered the rezoning application, and approved that the matter be referred on to the Parliament for consideration.

BE IT NOW THEREFORE RESOLVED THAT in accordance in Section 10(2)(b) of the Development and Planning Law (2017 Revision), as amended), the Central Planning Authority hereby recommends and submits to the Parliament the following proposal for alteration to the Development Plan 1997, a summary and maps of which are attached hereto.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED that in accordance with Section 10(2) (b) of the Development and Planning Law (2017 Revision), as amended, the Central Planning Authority hereby recommends and submits to the Parliament the following proposal for alteration to the Development Plan 1997, a summary and maps of which are attached hereto.

Honourable Minister.

Hon. Johany S. Ebanks: Mr. Speaker, in accordance with section 10(2) (b) of the Development and Planning Act (2021 Revision), I wish to lay on the Table of this honourable House the proposed changes to the zoning of the land belonging to registration section West Bay Beach North, namely Block 11 B Parcels 55, 58 and 79.

Mr. Speaker, Members will find in the information before them, related to the rezoned submission, the following:

- A written summary of the resumed application;
- A map illustration of the location of the proposed rezone submission; and
- Existing zoning over the land.

Mr. Speaker, the lands mentioned in the Motion are located just south of the Public Beach adjacent to the Harbour Heights Condominium development. The proposal is simply to alter the zoning of these lands to allow the enhancement of our tourism product in that area.

Mr. Speaker, the Motion read earlier was very detailed and contained many of the pertaining points of the application. In my brief presentation here today, I

merely intend to summarise and clarify, rather than reiterate the details I clearly present in the motion.

Mr. Speaker, the lands in question are part of an existing development and are presently zoned Neighbourhood/Commercial in accordance with the Development Planning Act. The Central Planning Authority (the CPA), was presented with the application by the owner of the property of Trafalgar Investment in anticipation of a new hotel development on the subject parcels.

In the department's analysis it was noted that the subject property is situated at the north end of a long strip of land on the east side of the West Bay Road which is own Neighbourhood/Commercial; however, Mr. Speaker, the land opposite the subject property on the west of the coastal side of the West Bay Road is zoned hotel/tourism. In addition, to the north of the property lies the Public Beach and a series of parcels which were rezoned from neighbourhood/commercial to hotel/tourism by the honourable House in July of 2020.

Mr. Speaker, the CPA advertised this proposal publicly in newspapers, on the 4th, the 6th, 9th, and 10th of September, 2019 with no objections received. The CPA considered the proposal to be in accordance with the sound planning principles which reflect the development history and potential of these lands. It can be noted Mr. Speaker, that the key difference between the current zoning and the proposed zoning is in the building heights. The approved building heights will be changed from three stories to ten stories, however, given that the surrounding area to the northwest is also hotel/tourism, development of that site should fit in with the surroundings.

On February 3rd, 2021 the CPA resolved and forwarded a rezone application to the Ministry of Commerce, Planning and Infrastructure—now the Ministry of Planning, Agriculture, Housing and Infrastructure—subject to Cabinet approval, for onward transmission to the House of Parliament.

Mr. Speaker, I am pleased to say that on 23rd August, 2022 Cabinet considered the rezoning proposal and approved the matter advance in the House of Parliament for consideration.

In closing MR Speaker, I ask for the support of this honourable House for the approval of rezoning West Bay Beach North Block 11 B Parcel 55 from neighbourhood/commercial to hotel/tourism; West Bay Beach North Block 11 B Parcel 58 from neighbourhood/commercial to hotel/tourism, and West Bay Beach North Block 11 B Parcel 79 from neighbourhood/commercial to hotel/tourism.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak?
[Pause] Does any other Member wish to speak?
[Pause] If not, does the Minister want to reply?

Hon. Johany S. Ebanks: Mr. Speaker, I just want to thank my colleagues for their full support, sir.

The Speaker: The question is, that Government Motion Number 1/2022-2023 resolves as follows:

BE IT NOW THEREFORE RESOLVED that in accordance with section 10(2) (b) the Development and Planning Law, (2017 Revision) as amended, the Central Planning Authority hereby recommends and submits to the Parliament, the following proposal for alteration to the Development Plan 1997 a summary and maps of which are attached hereto.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The motion passed.

MESSAGE FROM THE SPEAKER

The Speaker: Honourable Members, before I bring the gavel down on what should be my last Meeting of the House as the Speaker, I have a message but before I get to that message, I have been asked by Captain Owen Farrington, a former Member of the Vestry who has been with us most of the time, and is still here with us tonight, to say thanks for the courtesies extended to him these last couple of days.

He also asked me to say something about the assistance to Cuba, our neighbours—that would be Isle of Pines—who have had so much damage and who gave the Cayman Islands assistance in the area of employment and health at times of health so let us do what God expects of us. Please help these dear people, who are suffering after being hit by the hurricane. That was his message. Certainly, people have been contacting me, as they have done before, and we certainly will look at it.

Honourable colleagues, as I said, this should be my last meeting of the House presiding as the Speaker, and this coming departure from the Speaker's office is what I consider to be a bittersweet moment. Bitter in the sense of the circumstances in which I opted to resign, considering the interferences and undue influences being brought to bear publicly on the matter of the accusations against me. However, it is sweet primarily, because I will be leaving this honourable office in the very capable hands—I hope—of my successor, who is the Deputy Speaker, who is a committed and dedicated, young, but very mature woman from West Bay who would be the fourth female Speaker of this institution.

It is also a sweet moment for the mere fact that I will now be able to fully participate in matters concerning the debates in this House.

[Crosstalk]The Speaker: I will be able to be more active in matters concerning my constituents, and meaningfully participate in debates on policy that Government will bring to this honourable House, that affect people.

I am not seeking any office, any office as a Parliamentary Secretary, nor would I ever want to be back in Cabinet under the situation that rains in this country—R-A-I-N-S D-O-W-N on us. I just want to make that clear. Younger people are there, whom I support, and I believe the country is continuing to be in good hands. I will offer my support, where I can, to the elected Government, which are my colleagues and, certainly on any civil service matter that I can help.

I wish to express my deep and sincere gratitude to all those who have served the House during my time as Speaker. I am conscious that the House functions as well as it does only because of the dedicated service given by those who serve in the various departments of the House. To that end, I will continue to promote and advocate that our Parliament progress and evolve in this new strategic direction. The honourable Members are fully aware and mindful that we do have some archaic and inefficient ways of doing things that I believe should not be the norm any longer. I believe we are in good hands of the new Speaker once the House chooses that.

As we transition, the status quo can no longer be the same and we are still in that transitional mode, as far as the law that governs the House is concerned, and I am confident that my successor will continue on the path to ensure the Parliament's affairs are managed efficiently, and represent a world-class House of Parliament.

To all the staff, and to those who were particularly helpful and efficient, I express profound appreciation. During my period of office, there have been particular staff to the Speaker, particularly the Clerk—now the Chief-Officer; the Serjeant-at-Arms and the Chief Parliamentary Advisor. Each has brought faithful dedication to the service of the House, and I am grateful to them. To all who have been a colleague, a professional friend, and a personal friend: Your loyalty and support have enriched my Speakership.

I am also particularly in debt to all those who have served as Deputy Speakers during my period of office. I want to say a special thanks to Pat Ulett who is my personal assistant, and Eva Tomlinson, who works sometimes as my driver, sometimes as an officer in my West Bay district office. They are people who are loyal, hardworking, and honest—Pat, who was herself a retired long-time civil servant, and Eva who had 30 years of banking experience, supervisory positions at the Canadian Imperial Bank of Commerce.

I want also to express gratitude to those honourable Members who have served on the Parliament Management Council, which I chaired by virtue of being the Speaker, and other committees, for I think [that] without their service, our committee system would not survive. I am cognisant of the fact that there is much

more work to be done on the Council; and the Act which governs this Parliament was a starting point but now, having been in operation, needs to be amended.

I express gratitude to those members of the media and the press gallery, for the way in which some of them conduct themselves and honour our traditions and conform to our rules, for I strongly believe that a free and responsible press is as important as freedom of speech for Members of the House. To those who care not to pay us any credence, I wish them all the best and wherever they are going, may God send them with plenty breeze on their backs.

[Laughter]

The Speaker: I want to pay a special tribute to the Civil Service—because without them, we would be ineffective, inoperable and, essentially, futile, because it is them who implement the policies that government institutes. They are the backbone of our existence in public life.

I want to also thank the Deputy Governor for assisting me during my Speakership and adding his expertise, his acumen and know-how as a civil servant—and one who was in charge of the Civil Service; for doing all that he did to help create the new post of Speaker under the law.

I also want to thank the Attorney General for his various assistance at times; but special mention must—must, *must*—also go to Chief-Officer Gloria Mcfield-Nixon who took the time to help and resolve so many various issues, and who also served here as a temporary Member at times.

The House will understand, that I want to pay a special tribute to the personal staff; I have been treated in a most respectful and wonderful manner. They have all been like my family, the devotion of the staff of my constituencies, the secretary and drivers, as I have said, make me a fortunate person in their assistance. Persons contribute to who we are, but let no one, or any outsider, bring this Parliament into disrepute because, rest assured, many commentators are intellectually bankrupt and have no useful ideas.

Having said that, we as parliamentarians need to keep abreast and continue to respect our authority and responsibility at all times. We are mindful that few may say the integrity of the politician is online—few; but we have tremendous support out there who knows different, who understands differently, and who knew us, some of us, from childhood.

I want to express to the House the humble pride that I shall always have, in the knowledge that for over five years I have been trusted by the House with the noble and distinguished office of Speaker. I have served in many posts, from being its first Premier, with the present Minister of Education as my Deputy, and served my country to the best of my ability, honestly; and no matter what they said and what they tried to do, and are still trying to do, they could not succeed. My

work has benefited the Cayman Islands to my guidance at times.

One of the fulfilling and great joys of my life has been to forge friendships in all parties around our House. Some lasting friendships, others go by as their convenience allows them to. Before and during my tenure in the speakership role, has also led to friendships with Speakers throughout various jurisdictions in our Commonwealth and the global community but particularly, in the Commons with the Honourable Sir Lindsay Hoyle, who has given me tremendous advice over the years I have known him and that he has been leading the House as Speaker and Deputy Speaker and, of course, those colleagues in our Caribbean region with whom I have tremendous rapport.

Throughout my nearly forty years, ten terms of membership of the House, I have always felt deep affection and respect for its practices, conventions and traditions. Traditions which have survived the test of time should not likely be discarded, even though modernising some aspects is important to reflect the time we live in, and we must do so—and I see that happening.

This Government, with tremendously younger people, first-termers, has a tremendous opportunity to continue to modernise our practices. Some of it is outmoded, we just can't follow everything that is written down in the Commonwealth. Our culture is different. Our heritage is most important to us and those things that we hold dear to ourselves, and to our parents and to our ancestors. There is a meaning and strength behind the traditions that we observe, and I'm fervent that the House safeguard these fundamental principles.

This autonomous Parliament impacts and is representative of our national life and it is Cayman's fundamental bastion for democracy—and let no one else tell you anything; because our Constitution gives Members of Parliament that authority, whether some like us or not. Whether some of our own supporters might say we are not doing the right thing, as I heard the Premier say today, about the Bill he was moving. The fact is, we have to do what our conscience leads us to do. Our democracy will be safeguarded if we are honest with ourselves. *To thine own self be true.*

It isn't within these hallowed chambers that the liberties of people must be protected and respected. Young as we are as a Parliament on representative government, we are still a revered parliamentary democracy where many countries are jealous about what we call and what we live in and move and how our being in called the Cayman Islands, and I trust that the House will ever protect the values that brought greatness to our history and truly recognise the separation of powers as we know them to be.

We are conscious of the undeniable fact that the nature of Parliament, politics and our Westminster model is adversarial in nature, but I am hoping civility and good sense will always prevail; and I say that, but I honestly say, that I'm 67 now. When I was 29 in that

first seat out there oh, it was war nearly every day, because we didn't have the patience with one another and I was young and hoping to get things done overnight, and it just does not happen that way but, at my age, and some of you are not far away, civility and good sense, I know, will always prevail.

Those of us who pray often—we have good prayer warriors here in people like the Minister of Education, the Member for Cayman Brac East. Prayer is a great, great thing. We can get to God, and he will help us through that.

I will close by urging all Members to give [to] your constituents. Serve them well, because apart from administrative, organisational and structural issues concerning governance, we should all aim to improve the quality of life of our citizens and residents alike, as has been said often from your onset here; and I know that's what your policies are trying to do.

Ensure that they can have and enjoy a meaningful and productive life, so I implore all Members continue to attend the needs of the people at all times and never lose sight of that, if you want to serve 40 years in this house. The people should be the reason we all took this enormous responsibility, so we shall serve the common man well, as we are obligated to them. Always be conversant with what the late Queen undersigned—*your humble servant*. So should we be to our people?

I thought about whether I should get on to this in closing, but I do on my resignation as the Speaker. I owe it publicly to say that, because our Standing Orders are silent on the exact timing of a resignation, and because the Constitution does not say it is effective immediately—the Constitution doesn't say so. I went to precedents of the House of Commons in the United Kingdom, and because our Standing Orders are silent on the exact timing, and it's the Presiding Officer's prerogative at any time, and in any circumstance to do so or not, I went myself, and offered to resign.

Yes, I was asked; at the time I said it in my letter, when we agreed, I have stuck to that, I have no intention to try to do otherwise. That is why I'm reading my swan song at this time, if you want to call it that, because I want people to understand that we are trying to keep the peace in this country, and not to go to every outlet that they can get regionally to blackguard our country.

On the matter of the Motion, our Deputy Speaker had instructions to act. I would have been conflicted to preside over the decision to accept the Motion of No Confidence in the Speaker. It is legally written, that no person can be a judge in his own cause.

This rule against bias is strict in that it is not necessary that there is actual bias; it is breached even when there are only appearances of bias hence the phrase, "*Justice must not only be done, but manifestly be seen to be done*"; so I had to recuse myself from making the decision on that Motion, and the Deputy Speaker rightly had to take over that process. The Deputy Speaker was absolutely duty-bound to act in the

matter, as she was instructed to handle the process as the presiding officer. I took that decision, and a decision that I had authority to do—and rightly so. No one should accuse the Deputy Speaker of anything less than doing her duty.

There's much more to be said, and I suspect, even with the patience that I want and am trying to exhibit, that more will be saved sometime in the future. I do wish that Almighty God continue to bless this Honourable House, and our country, that we May always cherish the culture and the heritage of freedom handed to us by our forefathers.

Thank you, colleagues, for the privilege of serving you as Speaker, but I give a commitment and undertaking to be an avid advocate for my constituency of West Bay West and, indeed, to work with my other West Bay colleagues to assist them in any way I can from the backbench. To act in the interests of the people of this country, throughout these Islands—Caymanians and those who choose to work and live among us.

Honourable Members, I thank you for your friendship. I thank you for the works you are doing and I hope that I can continue to be a part of them. To those who are trying otherwise to bring me down, I will pray for them. I know what the Bible says and where I am weak, God is strong, and has held me up and he will continue to do that.

I am thankful to the Premier, the Deputy and other Ministers and Members here who have exhibited their appreciation, and who do not want to see my family hurt further than we have been throughout this nasty ordeal. It probably will get worse before it gets better, but I like Prince Buster, still a *Hard Man Fi Dead*.

[Inaudible]...from here to the end and I will call on the Premier.

ADJOURNMENT

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

Mr. Speaker, I want to start by joining you in acknowledging the attendance of Captain Farrington for the time that he has spent with us. The dedication that that reflects; he certainly seems to have more commitment and energy than the Members across the aisle.

[Laughter]

The Premier, Hon. G. Wayne Panton: Who have absented themselves—the Opposition in absentia for the past two days—so I certainly want to thank him, for being here. It has been a very distinct pleasure having him here with us and joining—

[Desk thumping]

The Premier, Hon. G. Wayne Panton: In phenomenal conversations with the gentleman in the dining room; and he never misses an opportunity to share a perspective.

Mr. Speaker. I want to thank my colleagues who have done, I think, a phenomenal job of presenting the work that we have been doing today. Certainly, the Bills we dealt with today, while some of them have not been lengthy, have been very significant and very impactful upon the lives of our people in a positive way, Mr. Speaker.

The Traffic (Amendment) Bill, Mental Health (Amendment) Bill, Mental Health Commission, (Amendment) Bill, the Financial Assistance Bill, Accountants (Amendment) Bill, Limited Liability Companies (Amendment) Bill, the Education (Amendment) Bill, I would summarise those, Mr. Speaker, as saving lives, helping people who have impaired ability to decide for themselves, restoring dignity for those who need assistance, reinforcing service excellence and protecting our young people from bullies. Excellent work, Mr. Speaker, and I congratulate all of my colleagues—those who moved the Bills and those who have contributed so eloquently, as well.

Mr. Speaker Friday was, as I said earlier, an interesting day. I certainly want to thank all the Members who contributed to the only motion that was dealt with that day, which reflected a Motion of Confidence in the Government. This PACT-Government can be proud, can be sure, that we are united in delivering the best for our people; trying to advance our country and make a difference for all of our people. Improve the quality of their lives and leave a lasting legacy, Mr. Speaker, which will ensure that our children, and their children, have a Cayman that they can be proud of—and that we can look back on and be proud of as well, in terms of our work.

Mr. Speaker, I will finish by acknowledging your comments. I can hardly add anything to the quality of the comments you have made and the acknowledgement that you have acted in the best interest of the country. I don't think anybody can question your motive in that respect. We appreciate that, and we wish you and your family the best, Mr. Speaker.

Mr. Speaker with that, I move that this honourable House be adjourned sine die.

The Speaker: This is a new gavel I had made in Honduras from the hardest wood, the country has; it's now donated to the House. The question is, that this Honourable House do stand adjourned sine die. All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

At 9:38pm the House stood adjourned sine die.