



PARLIAMENT OF THE CAYMAN ISLANDS

OFFICIAL HANSARD REPORT

Second Meeting of the 2022-2023 Session
Fifth Sitting

Thursday
15th December, 2022
(Pages 1-50)

Hon. Katherine A. Ebanks-Wilks, MP
Speaker

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PRESENT WERE:

Hon. Katherine A. Ebanks-Wilks, MP
Speaker

MINISTERS OF THE CABINET

Hon. G. Wayne Panton, JP, MP	<i>Premier</i> , Minister of Sustainability & Climate Resiliency
Hon. Christopher S. Saunders, MP	<i>Deputy Premier</i> , Minister of Finance & Economic Development <i>and</i> Border Control & Labour
Hon. Juliana Y. O'Connor-Connolly, JP, MP	Minister of Education <i>and</i> District Administration & Lands
Hon. Bernie A. Bush, MP	Minister of Youth, Sports, Culture & Heritage
Hon. Kenneth V. Bryan, MP	Minister of Tourism & Transport
Hon. André M. Ebanks, MP	Minister of Financial Services & Commerce <i>and</i> Investment, Innovation & Social Development
Hon. Sabrina T. Turner, MP	Minister of Health & Wellness <i>and</i> Home Affairs
Hon. Johany S. "Jay" Ebanks, MP	Minister of Planning, Agriculture, Housing & Infrastructure

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. W. McKeeva Bush, JP, MP	Elected Member for West Bay West
Ms. Heather D. Bodden, OCI, Cert. Hon., JP, MP	Parliamentary Secretary to Tourism <i>and</i> Social Development, Elected Member for Savannah
Mr. Isaac D. Rankine, MP	Parliamentary Secretary to Home Affairs <i>and</i> Planning, Agriculture & Infrastructure, Elected Member for East End
Hon. Dwayne S. Seymour, JP, MP	<i>Deputy Speaker</i> , Parliamentary Secretary to Labour, Housing <i>and</i> Transport
	Elected Member for Bodden Town East

OPPOSITION MEMBERS

Hon. Roy M. McTaggart, JP, MP	<i>Leader of the Opposition</i> , Elected Member for George Town East
Mr. Joseph X. Hew, MP	<i>Deputy Leader of the Opposition</i> , Elected Member for George Town North
Hon. Sir Alden McLaughlin, KCMG, MBE, KC, JP, MP	Elected Member for Red Bay
Mr. Moses I. Kirkconnell, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Mr. David C. Wight, JP, MP	Elected Member for George Town West

APOLOGIES

Ms. Barbara E. Conolly, JP, NP, MP	Elected Member for George Town South
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OFFICIAL HANSARD REPORT
SECOND MEETING OF THE 2022/23 SESSION
THURSDAY
15 DECEMBER, 2022
3:05 PM
Fifth Sitting

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

The Speaker: Good afternoon. I call on the Honourable Minister for Tourism and Transport to grace us with prayers.

Hon. Kenneth V. Bryan, Minister of Tourism and Transport, Elected Member for George Town Central: Let us pray.

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

Bless our Sovereign, King Charles III; William, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Premier; the Speaker of the Parliament, the Leader of the Opposition, Ministers of the Cabinet, ex officio Members, Members of the Parliament, the Chief Justice and Members of the Judiciary that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together:

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

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

The Speaker: Please be seated.

Proceedings are now resumed.

ADMINISTRATION OF OATHS OR AFFIRMATIONS

The Speaker: None.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: I have one quick announcement.

I'd like to take a moment to announce, that in accordance with Standing Order 70(2) I have nominated the Honourable Attorney General to be the Chairman of the Select Committee that will be overseeing the Gambling (Amendment) Bill, 2022.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OF REPORTS

Report of the Standing Finance Committee on the Appropriation Changes in accordance with Section 25 of the Public Management and Finance Act (2020 Revision) for the Financial Years Ended 31 December, 2020 and 31 December, 2021 - Supplementary Appropriation (January 2020 to December 2020) Bill, 2022 and Supplementary Appropriation (January 2021 to December 2021) Bill, 2022

The Speaker: The Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier, Minister of Finance and Economic Development, and Border Control and Labour, Elected Member for Bodden Town West: Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the report of the Standing Finance Committee on the Appropriation Changes in accordance with Section 25 of the Public Management and Finance Act (2020 Revision) for the financial years ended 31st December, 2020 and 31st December, 2021.

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

Hon. Christopher S. Saunders, Deputy Premier: Very briefly, Madam Speaker.

Madam Speaker, we went through this in Finance Committee this morning, but for the listening public and those tuning in to CIGTV:

The adjustments that we made in 2020 were largely COVID-related expenses incurred under the previous administration, so this was more of a tidying-up exercise; then for 2021, the bulk of it was the realignment of Ministries following the April 2021 general election, where Ministry responsibilities were transferred to different Ministers of the incoming government.

I take the chance to once again thank the Honourable Leader of the Opposition and his colleagues for their cooperation in getting this done quickly.

Thank you, Madam Speaker.

**Report of the Standing Finance Committee
on the Appropriation Changes in accordance with
Section 12 of the Public Management and Finance
Act (2020 Revision) for the Financial Year Ending
31 December, 2022**

The Speaker: Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable Parliament the Report of the Standing Finance Committee on the Appropriation Changes in accordance with Section 12 of the Public Management and Finance Act (2020 Revision) for the Financial Year ending 31 December, 2022.

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

Hon. Christopher S. Saunders, Deputy Premier: Very briefly, Madam Speaker, to note that the report actually contains two items: a non-cash charge of over \$6.5 million for depreciation as a result of assets being revalued; and \$135,000 to create a permanent position within the Regiment.

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

[Pause]

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

The Speaker: The Honourable Premier.

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

Madam Speaker, I rise to move the suspension of Standing Orders 23(7) and (8) in order to allow questions to be put and answered after the hour of 11am.

The Speaker: The question is that Standing Orders 23(7) and (8) be suspended to allow questions.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Orders 23(7) and (8) suspended.

**QUESTION NO. 11
PROGRESS OF THE ReGEN WASTE TO ENERGY
PROJECT AND WHETHER THE PREMIER WILL
MEET HIS PLANNED TIMELINE FOR THE
FINANCIAL CLOSE**

The Speaker: The Honourable Deputy Leader of the Opposition.

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

Madam Speaker, I rise to ask the question in my name to the Honourable Premier, Minister of Sustainability and Climate Resiliency, question number 11: Can the Honourable Premier update the House and the public on the progress of the ReGen Waste to Energy project, including whether he will meet his planned timeline for financial close?

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, thank you and thank you to the Member for George Town North for his question.

Madam Speaker, the answer: significant progress continues to be made between the Cayman Islands Government and the Dart consortium to complete project negotiations for the development of ReGen.

As I previously shared, the PACT Administration was not handed a fully negotiated contract to simply carry forward and execute. Madam Speaker, there were a staggering number of outstanding items to financial close, the majority of which were showing as "not yet agreed" and represented significant issues remaining to be addressed.

In addition, there are significant, some might say critical, examples of issues that have come to light; these include, firstly, that the project plans did not have any space allocated for the Department of Environmental Health (DEH) to continue their solid waste collection operations. Secondly, the project agreement signed in March 2021, a mere three weeks before the election, did not include waste collection in the Sister Islands.

For ReGen to benefit everyone in the Cayman Islands, it's important to ensure plans are in place to provide sustainable waste management for our Sister Islands—Cayman Brac and Little Cayman.

As we have continued our negotiations, the projected timeline to financial close as agreed between the parties, has necessarily continued to shift. I cannot go into too much detail as to the reason for the current delay due to the fact that negotiations are still very active. While negotiations continue in earnest to accomplish this as quickly as possible, I am informed that the parties now expect financial close for the project in early 2023.

Thank you.

The Speaker: Are there any supplementary questions?

Supplementary

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

Can the Honourable Premier confirm that the Sister Islands were included in the original RFP [Request for Proposals] for the waste energy project?

[Pause]

The Premier, Hon. G. Wayne Panton: Madam Speaker, thank you for allowing me a minute to confer. I thank the Member for the supplementary question.

In response: As I understand it, the original RFP included the Sister Islands. Subsequently, during the negotiations to get to the point of having the signed project agreement, the transportation and dealing with the Sister Islands' waste—to bring it over to Grand Cayman to utilise it in connection with the ReGen facility once it was ultimately completed—was de-scoped or removed.

QUESTION NO. 12 MANAGEMENT OF COUNTRY'S REFUSE AND IMPACT ON THE GEORGE TOWN LANDFILL'S LIFESPAN GIVEN PROJECT ReGEN DELAYS

The Speaker: The Honourable Deputy Leader of the Opposition.

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

Madam Speaker, I rise to ask the question in my name to the Honourable Premier, Minister of Sustainability and Climate Resiliency. The question reads: Can the Honourable Premier advise how the country's refuse being dumped at the George Town Landfill is being managed, and how the existing landfill's usable lifespan has been impacted by the delays in Project ReGen?

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, thank you. I thank the Honourable Member for George Town North for his question.

Madam Speaker, the answer: All materials entering the landfill are weighed and recorded at the landfill scale in tons according to waste type. The waste materials allocated for disposal in the landfill are directed to the tipping area. Materials such as marl and vegetation waste are used as waste cover prior to compaction using heavy machinery.

A new compactor is on its way to Grand Cayman and should arrive on Island in January 2023. Recyclables, hazardous waste and medical waste are treated separately. Cardboard/paper, aluminium/tin and plastics #1 and #2 are processed and baled for export to be recycled overseas; biomedical waste is incinerated; and hazardous waste is segregated by type for appropriate processing.

Thanks to the rigorous efforts of the Department of Environmental Health's team, there have been no odour complaints for the George Town Landfill in the past eight months.

To ensure the north-west extension tipping area has sufficient capacity to continue landfilling operations while the new ReGen facilities are being developed, the joint project team is actively identifying waste reduction strategies and opportunities for revising the current tipping area. Taken together, these tactics will ensure landfill capacity up to October 2026.

These efforts are necessary in no small part due to the previous administration's focus on progressing the remediation of the main mound at the George Town Landfill, rather than on completing contract negotiations for ReGen.

While the ongoing landfill capping project provides a number of important benefits to our community, including significantly improving the visual appearance of the main mound, it has, unfortunately, also greatly reduced the level of flexibility for continuing landfilling operations in the interim.

Despite the constraints that we inherited with this important national project, the PACT Administration is committed to working alongside the Dart consortium to finalise contract negotiations and progress development of ReGen within a workable timeframe which facilitates the Cayman Islands' transition away from the current unsustainable practice of managing waste primarily through landfilling, to an integrated, more sustainable, waste management system.

Thank you.

The Speaker: Are there any supplementary—

The Honourable Deputy Leader of the Opposition.

Supplementaries

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

I thank the Honourable Premier for that answer. Just to let him know that I don't know about complaints, but I can tell you there is much odour coming from the landfill, including the smell of fire yesterday.

Madam Speaker, can the Honourable Premier say whether or not a statement for the method of remediation and management of the George Town Landfill had ever been issued or approved by the Department of Environment?

The Speaker: The Honourable Premier.

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

I thank the Member for the question but I would be grateful if he could provide some clarification on what specifically he is asking that the Department of Environment has or has not approved. I would say I am not aware of any information I would have at the moment to be able to share with him in respect of some sort of standard. [I would have to provide that response to him subsequently in writing, which I happily undertake to do](#), but I would like to get clarification on the specifics of the question. Thank you.

The Speaker: Honourable Deputy Leader of the Opposition.

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

I thank the Premier for the response and his undertaking to get the answer in writing, and I am happy to provide further details. My question is whether or not the Department of Environment has ever issued a statement or instructions on the remediation and management of the George Town Landfill and whether those recommendations are being followed.

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, as I indicated earlier, I do not have that information to hand and I do not have the assistance available to provide the answer to that specific question. [I will undertake to follow up specifically to obtain the answer and provide it to the Honourable Member in writing.](#)

Thank you.

The Speaker: The Honourable Deputy Leader of the Opposition.

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

I thank the Premier and I look forward to that response. Can the Honourable Premier confirm if there have been any fires recently at the landfill—so that I am not being misled?

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, I am not sure why the honourable Member would think that I am misleading him at all.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: No, so that I am not misleading. I only saw it in one news article.

The Premier, Hon. G. Wayne Panton: Oh, so that you are not misleading.

Madam Speaker, I have not had an official confirmation myself, but I did see an indication, possibly in the same news media, that there was evidence of a small fire— or something which was causing smoke, anyway. I don't have the specifics, but there was some indication certainly in the media or on social media to that effect. As all Members would know, this happens from time to time, but it is so curious that it seems to happen whenever we have Parliament.

Madam Speaker, [I'm happy to get the specifics and provide that confirmation to the Member in writing as well](#), thank you.

The Speaker: The Honourable Deputy Leader of the Opposition.

An Hon. Member: Are you suggesting a Parliamentarian is setting it on fire or wah?

[Laughter]

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

I thank the Honourable Premier for that answer. I can say to the Honourable Premier that my sources have told me there have been a few deep burning fires; and I can confirm— as I live within a half-mile of the landfill— that yesterday morning I saw smoke, and they always say *where you see smoke, there is usually fire*.

Madam Speaker, one more question for the Premier, and it may be a suggestion: considering that “Mount Trashmore” had reached the end of its useful lifespan and one of the reasons that the decision was made to move forward with capping it, was to stop these sorts of fires from happening. Everyone can agree the last big one we had created tremendous health and safety threats for the people of Courts Road, Watler's Road, Marbel Drive, Parkway [Drive], Kintyre [Drive], all the way down to Jasmine. My concern, Madam Speaker, is that the drier weather and higher winds are making the conditions perfect for a major fire.

Can the Premier say whether or not there is a fire-watch post or someone posted there to watch for fires at night; for instance, if a building's fire alarm system becomes faulty, the planning department insists that they assign a watchman in case there is a fire. Can

the Premier say whether or not that is in place at the landfill?

The Speaker: Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, I thank the Honourable Member for the question. At this point I am unable to confirm whether there is a specific watch. I do know, Madam Speaker, that the site is monitored frequently. I do not know and I am not able to confirm whether there's any specific, dedicated person or mechanism through which it is monitored on a consistent basis. [I will, again, confirm that for the Honourable Member and provide a response in writing.](#)

Madam Speaker, if I could just add, I have been reliably informed that there is a 24-hour security guard present who keeps an eye out specifically for any evidence of fire activity. I am assuming that they will keep an eye out and if they observe anything, they will attend, try to assess what's happening, and then report it to the Cayman Islands Fire Service. Further than that, Madam Speaker, [I will provide the response in writing to confirm.](#)

The Speaker: The Honourable Deputy Leader of the Opposition.

Mr. Joseph X. Hew, Deputy Leader of the Opposition: Thank you, Madam Speaker. I thank the Premier for that response and I look forward to the confirmation.

Madam Speaker, as the Premier said in a previous statement, anyone driving by can see how close it is to the road—and I think there are some works happening there now, so it's even closer. What many people don't know, is that being that close to the road puts it very, very close, to several residential areas such as Parkway, Kintyre and Jasmine across the street; and Marbel, Courts Road and Watler's Road to the South.

My reason for asking is just so those persons can go to bed at night with the peace of mind that if there is a fire, someone would be there to notify the authorities.

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Madam Speaker. Again, I appreciate the observation and I confirm that as I am advised, there is someone assessing that.

Madam Speaker, of course we do know that in the overall project that was approved under the previous administration, that part of the landfill was designed as the area in which the collection of refuse would continue until Project ReGen comes on stream. We certainly have every intention, Madam Speaker, of trying to ensure that any sort of inconvenience, any nuisance and certainly no fires, if possible, occur, which would bring any kind of inconvenience, concern or health

issues for any of the citizens of our country who live in the areas mentioned by the Honourable Member.

Madam Speaker, thank you.

QUESTION NO. 13 TARGETS FOR IMPROVEMENTS SET FOR MATHEMATICS PASSES FOR YEAR 11 STUDENTS

The Speaker: The Honourable Leader of the Opposition.

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

Madam Speaker, the Member for George Town South tendered apologies for this morning; she's unable to be here and I crave your indulgence to allow me to ask questions on her behalf.

The Speaker: Please proceed.

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

Madam Speaker, I rise to ask the Honourable Minister of Education question number 13, standing in the name of the Member for George Town South: Can the Honourable Minister share with the House the targets for improvement that she has set for mathematics passes for Year 11 students.

The Speaker: Honourable Minister for Education.

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

Thanks to the Honourable Leader of the Opposition for invoking Standing Order 23(3).

The answer: The targets to be set for Year 11 mathematics passes in the coming years is an increase by 5 percent points each year for the next three years.

QUESTION NO. 14 WHAT ROLE WOULD TEACHING ASSISTANTS PLAY IN IMPROVING EDUCATION STANDARDS?

The Speaker: Honourable Leader of the Opposition.

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

Madam Speaker, I rise to ask the Honourable Minister of Education question number 14, standing in the name of the Member for George Town South: Can the Honourable Minister advise the House what role she expects teaching assistants to play in improving education standards?

Thank you.

The Speaker: The Honourable Minister for Education.

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

The role of Assistant Teachers in improving education standards is critical. Through collaborative planning with the classroom teacher, assistant teachers provide support and assistance to in-class teaching through small group or individual student support.

Assistant teachers are also utilised to conduct before, in-class “pull-out”, or after class sessions for students if there is a requirement for support for students exhibiting a greater need for targeted support through interventions, whether in Mathematics or English. Interventions are best proven to work when they are implemented with fidelity, that is, within the time period recommended and with the frequency recommended. Assistant teachers provide significant additional capacity to guarantee the fidelity of the interventions and ultimately, their success.

The key role of preparing the class for learning as a task for assistant teachers cannot be understated. Preparation and allocation of resources to support the lesson, is expertly done by quality assistant teachers, who may oftentimes be qualified teachers themselves.

The Ministry of Education and the Department of Education Services are pleased to report that in January 2023, 40 new Assistant Teacher posts will be filled for government primary schools as per the Government's Strategic Policy Statement. An additional 40 Assistant Teachers will be hired for the start of the 2023-2024 academic year. The additional hires for our government schools are multi-intentioned:

- To ensure every government classroom in primary schools, and provisioning up to Year 9 in high schools, benefit from an assistant teacher supporting the classrooms;
- To ensure relevant interventions to support students in their acquisition of knowledge and skills in core subject areas are conducted with fidelity;
- To provide options for qualified cover when teachers are out sick or absent from their respective classroom.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have given leave to the Honourable Premier to make a statement.

[Pause]

RETIREMENT OF SIR ANTHONY SMELLIE AND APPOINTMENT OF NEW CHIEF JUSTICE HONOURABLE MARGARET RAMSAY-HALE

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

Madam Speaker, I rise to put on the record comments from the Government in relation to the retirement of Sir Anthony Smellie; the appointment of the new Chief Justice, Honourable Margaret Ramsay-Hale; and other related and important matters.

Madam Speaker, 2022 has certainly been a year of many important milestones in our country. I rise today to highlight some of the history-making events that have occurred in our Judiciary, and in particular, Madam Speaker, to register on behalf of this honourable House, our sincere appreciation and congratulations.

Madam Speaker, one of the hallmarks of a strong and healthy democracy is a fully independent, highly respected judiciary. Suffice it to say, we in the Cayman Islands enjoy a well-deserved global reputation for judicial excellence. For this, Madam Speaker, we owe a great debt of gratitude to our former Chief Justice, Sir Anthony Smellie who has been rightly recognised for providing strong leadership and unparalleled service to law and justice in the Cayman Islands, the wider Caribbean and, I dare say, the rest of the world over the last 30 years as a judge, with nearly 25 years as Chief Justice.

Sir Anthony's incredible journey in our legal and judicial system began in 1983 when he arrived in the Cayman Islands to serve as Principal Crown Counsel and Solicitor General from 1983 to 1992. He served as Acting Attorney General for most of 1992, then in January, 1993 he was appointed Judge of the Grand Court, going on to become the Chief Justice in June 1998. He was appointed to Bermuda's Court of Appeal in 2018.

Madam Speaker, time will not allow me to list the many achievements and accomplishments during Sir Anthony's illustrious career, but arguably, overseeing the growth and development of a modern and internationally renowned judiciary, sits at the very top of the pile. As one example of this growth, Madam Speaker, let us for a moment ponder that the *Cayman Islands Handbook and Businessman's Guide 1980* cites that *the established judiciary and quasi judiciary then comprised only three officers*; Chief Justice Sir John Summerfield, Magistrate Mr. Winston Hercules and Clerk of the Court, Mr. Richard Edwards. Recalling that Sir Anthony arrived in 1983, it was likely that he found a very *modest legal and judicial infrastructure* as cited in the Cayman Islands Judiciary 2019-21 Retrospective.

If we fast forward to today, there are five permanently appointed Magistrates, including the Chief Magistrate; three acting magistrates; and eight permanently appointed Grand Court Judges, including the Chief Justice, four of whom are appointed exclusively to the financial services division. In addition, an active panel of 16 acting judges is called upon from time to time to undertake pre-arranged stints, each typically for 4 to 6 weeks annually. The panel of acting judges assist

with the Court's criminal and general civil work load. There are eight established Court of Appeal Judges, including the President.

In summary, Madam Speaker, the Cayman Islands boasts a Judiciary of 35 judicial officers, including acting positions. There is a Clerk of Court and at the time of the publication of the report, three Deputy Clerks of Court were on staff.

Madam Speaker, earlier this year, in what was to be the final Queen's Birthday Honours and as part of Her late Majesty the Queen's Platinum Jubilee Celebrations, Sir Anthony Smellie was appointed as a Knight Commander of The Most Distinguished Order of St. Michael and St. George (KCMG) which, I noted in a statement to this honourable House, was a most fitting exclamation point in a very distinguished legal and judicial career.

Madam Speaker, I note the words of the late Dr. Myles Munroe who stated *there is no success without successors*, for 2022 saw the successful transition of leadership of our Judiciary from Sir Anthony Smellie who had confirmed his well-deserved retirement, to our first-ever female Chief Justice, the Honourable Margaret Ramsay-Hale.

In accordance with the Cayman Islands' Constitution, the Judicial and Legal Services Commission (JLSC) undertook a formal recruitment exercise for the post of Chief Justice. Further to this recruitment exercise by the JLSC, His Excellency the Governor, Mr. Martyn Roper, OBE appointed Justice Margaret Ramsay-Hale as the Chief Justice effective 25th October, 2022.

Madam Speaker, Her Ladyship, the Honourable Chief Justice is no stranger to our community. She first moved to Cayman in September 1998 and served as a magistrate in the Summary Court for 10 years before being promoted to Chief Magistrate.

We will no doubt recall the impact of her time serving as magistrate and chief magistrate as she made substantial contributions to reform in case and court administration, while advocating for a change in our approach to justice. Indeed, she was instrumental in the shift from incarceration to treatment for drug offenders and the mentally ill.

She was also appointed as an acting judge for the Grand Court of the Cayman Islands in 2006, and later appointed Member of the Cayman Islands' panel of acting Grand Court Judges in 2013; however, she left our shores having been appointed as a puisne judge for the Supreme Court of the Turks and Caicos Islands on the 1st November, 2011, becoming the first woman to be appointed to the Supreme Court there.

Three years later, in 2014, she became the first female Chief Justice of the Turks and Caicos Islands and served there faithfully until 10th January 2020, when she returned to Grand Cayman having been appointed a judge of the Grand Court of the Cayman Islands by His Excellency the Governor, Mr. Martyn Roper. There is no doubt in my mind, Madam Speaker,

that our new Chief Justice will build on the successful legacy of Sir Anthony Smellie.

A citizen of this community, our Chief Justice, Honourable Margaret Ramsay-Hale has always demonstrated a unique knowledge and connectivity to the people of the Cayman Islands. Her incredible intellect, combined with a deft, common touch, has endeared her to the people of the Cayman Islands, and we are fortunate that she considers our Islands her home, having raised her family here.

Her appointment marks another incredible moment for women in our Islands; one more glass ceiling has been shattered, as we have now had women serve at the helm of virtually every major branch of government. In addition to our first female Chief Justice, we've had one female Premier, the Member for Cayman Brac East, the Honourable Juliana O'Connor-Connolly; five female Speakers, National Hero, the late Honourable Sybil McLaughlin, the Honourable Juliana O'Connor-Connolly, the late Honourable Edna Moyle, the Honourable Mary Lawrence, and of course, Madam Speaker, your good self.

With last week's announcement of the appointment of Mrs. Jane Owen, who will take up her post on April 2023 as the next Governor, the Cayman Islands will now have its second female Governor who follows in the footsteps of former Governor, Mrs. Helen Kilpatrick.

Madam Speaker, these are milestones for which we should be exceedingly proud as a people. The public sector continues to lead by example in the push to ensure women are given opportunities to take up leadership roles. We should continue to press for greater gender equality and for more glass ceilings to be shattered as we strive to live in a fairer and more representative society.

The world is watching us, Madam Speaker. The Cayman Islands continues to make its mark as we are recognised for excellence in many critical areas, especially our legal and judicial system. Perhaps, there is no greater example of this, Madam Speaker, than another history-making moment which occurred in 2022, and that was the Judicial Committee of the Privy Council (JCPC) sitting in the Cayman Islands from the 15th to 18th November. Once again, a first for the Cayman Islands and the UK Overseas Territories.

Madam Speaker, I wish to record my sincere gratitude to the JCPC President, The Right Hon Lord Reed of Allermuir, who was accompanied by Deputy President, the Right Hon Lord Hodge; The Right Hon Lord Lloyd-Jones, The Right Hon Lord Briggs of Westbourne, and The Right Hon Lord Kitchin for coming to the Cayman Islands to participate in this memorable week of hearings and community-based activities.

In addition to conducting hearings, Madam Speaker, the JCPC engaged in a number of initiatives and meetings with members of our local Judiciary, legal practitioners, law school, high school and university

students, in an effort to improve accessibility to our highest court; and awareness of the Court's significant role in the delivery of justice and its impact on matters such as our constitutional development and international financial services industry.

Madam Speaker, we should pause to reflect on the significance of what just transpired. There is no doubt that the JCPC's acceptance of our invitation was facilitated by the impeccable reputation and record of excellence emanating from our local halls of justice, ably led for so many years by retired former Chief Justice, Sir Anthony Smellie, and now Chief Justice, Honourable Ramsay-Hale.

Our good name and our international reputation go before us and continue to serve us well, Madam Speaker. That is why, in every aspect of public life across all branches of government, we must continue to strive for excellence, integrity, truth and good governance. The world is watching, and indeed the world continues to come to our shores because of this stellar reputation.

Before moving on, Madam Speaker, permit me to add that we recently had the announcement of a female Superintendent of Police as well— Mrs. Wendy Parchment from West Bay. I think it is important to add that to the record, in terms of the achievements of women in this country, Madam Speaker. They are all excellent role models and examples for the young women of this country.

Madam Speaker, I take this opportunity to express on behalf of the Government and all Members of this honourable House, our sincere gratitude to Sir Anthony for his dedication, exemplary service, and commitment to the people of the Cayman Islands; and extend to Chief Justice Ramsay-Hale our heartfelt congratulations, delight and confidence that she will continue to steer our Judicial Administration to even greater heights.

Today we should all stand united in pride that our Constitution continues to work as it was designed, and that we have capable and visionary women such as the Chief Justice, the Honourable Margaret Ramsay-Hale and, indeed, your good self, Madam Speaker, who are taking up the mantle of leadership or, in your case, the robe and wig, to lead their independent branches of Government in this most memorable and extraordinary of years, 2022.

Thank you, Madam Speaker.

The Speaker: Thank you, Honourable Premier.

I have also given leave to the Honourable Minister of Education to make a few statements.

EXCEPTIONAL CIRCUMSTANCES TRANSACTIONS INCURRED BY THE MINISTRY OF DISTRICT ADMINISTRATION AND LANDS DURING THE 2021 FINANCIAL PERIOD

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

The first of three statements dealing with exceptional circumstances—[as required by] Section 11(5) of the [Public Management and Finance Act, (2020 Revision)] for the 2021 supplementary appropriation.

Madam Speaker, thank you for allowing me the opportunity to bring to the attention of this honourable House the exceptional circumstances appropriation changes which have resulted in the supplementary appropriations initiated by the Ministry of District Administration and Lands for 2021 under Section 11(5) of the Public Management and Finance Act (2020 Revision) (PMFA).

Madam Speaker, Cabinet was asked to consider the following requests for reallocation within the Ministry of District Administration and Lands appropriation lines to satisfy the 2021 expenditure needs as follows:

TP 66 - Sister Islands Home Repairs Assistance - \$144, 000

Cayman Brac and Little Cayman do not have the same Cayman Islands government-support framework as Grand Cayman, as it relates to home repairs. As such, provision of assistance for home repairs is extended to the residents of the Sister Islands through TP 66 - Sister Islands Home Repairs Assistance.

This assistance has been significant in assisting indigent persons with necessary home repairs. The funding is needed in order to ensure the continuation of the programme. The result is an increase of CI\$144,000 for TP 66 - Sister Islands Home Repairs Assistance, and a corresponding decrease of CI\$144,000 to EA 139 - Little Cayman Boat Launch Ramp, as there were projected savings in this appropriation.

TP 86 - Sister Islands Beaches and Community Clean-up Programme - \$100,000

The Sister Islands Beaches and Community Clean-up Programme engages many unemployed Cayman Brac and Little Cayman residents, and a few from Grand Cayman as well, in gainful and meaningful employment to maintain the Sister Islands' beauty and picturesque nature.

This programme is vital, Madam Speaker, as it allows unemployed Caymanians in the Sister Islands to be gainfully employed while understanding the vital tasks of a full work week. The funding was needed in order to ensure the continuation of the programme. The result was an increase of CI\$100,000 for TP 86 - Sister Islands Beaches and Community Clean-up Programme and a corresponding decrease of CI\$100,000 to EA 139 - Little Cayman Boat Launch Ramp, as there are projected savings in this appropriation.

EA 4 - Land Acquisitions - \$5.6 million

Appropriation EA 4 - Land Acquisitions was increased to support the acquisition of land which unexpectedly became available for sale in 2021. This resulted in an increase of \$5.6 million for EA 4 - Land Acquisition and a corresponding decrease to EI 85 - Ministry of Home Affairs, as the Minister of Home Affairs projected savings in this appropriation.

Madam Speaker, additionally, EA 4 - Land Acquisition was increased by \$800,000 via corresponding decreases to EA 9 - Road Compensation of \$500,000 and EI 85 - Ministry of Home Affairs Capital Allocation for \$300,000.

Section 12 Appropriations

Madam Speaker, I take this opportunity to note the appropriation changes initiated by the Ministry of District Administration and Lands for 2021, under section 12 of the Public Management and Finance Act (2020 Revision):

- EA 4 - Land Acquisitions by \$2 million to support the acquisition of lands for future public use.
- DAL 1 - Core Ministry by \$246,584 to cover operational expenses for the new Ministry of District Administration and Lands in the year 2021.
- DAL 2 - District Administration by \$500,000 to cover operational expenses, specifically repairs and maintenance for cottages owned by District Administration in Cayman Brac.
- EA 55 - Cayman Brac and Little Cayman Roads by \$500,000 to allow for ongoing maintenance and construction of roads for the last six months of 2021.
- EA 95 - Cemetery Vaults by \$25,000 to allow for the construction of additional cemetery vaults in Cayman Brac in 2021.
- TP 101 - Sister Islands Community Programmes/Projects by \$25,000 to support Sister Islands' Sports for the provision of sports programmes for the remainder of 2021.
- TP 66 - Sister Islands Home Repairs Assistance by \$550,000. The funding was needed in order to ensure the continuation of the programme.
- TP 86 - Sister Islands Beaches and Community Clean-up Programme by \$500,000 in order to continue the programme through 2021.

Madam Speaker, thank you for allowing me to explain the exceptional circumstances that resulted in the supplementary appropriation initiated by the Ministry of District Administration and Lands for the 2021

fiscal year, under Sections 11(5) and 12 of the Public Management and Finance Act (2020 Revision).

**EXCEPTIONAL CIRCUMSTANCES
TRANSACTIONS INCURRED BY
THE MINISTRY OF EDUCATION FOR THE
PERIOD 1ST JANUARY TO 30TH NOVEMBER 2022**

Madam Speaker, I now turn to the Ministry of Education for the Year 2022.

As required under Section 11(6) of the Public Management and Finance Act (2020 Revision), I make this statement to Members of the honourable House with respect to the exceptional circumstances transactions that were approved by Cabinet for the Ministry of Education for the period 1st January to 30th November, 2022. Such transactions were approved pursuant to Sections 9(5) and 11(5) of the PMFA. This statement provides details of the aforementioned transactions.

**EGA 5 - Primary Education and
EGA 6 - Secondary Education**

Madam Speaker, funding gaps were identified in order to cover costs for the last quarter of 2022. These appropriation groups were impacted by higher than projected personnel costs, a need for outsourced student services support, increase in utility charges and increased depreciation charges on school buildings and computer hardware. Additionally, there was a cost associated with the provision of additional resources in the form of mobile devices for government school employees.

As there were no savings identified in other operational expenditure lines, funds were required to be brought forward from 2023 in line with the stipulations of a two-year budget; therefore, approval was required under Section 9(5) of the PMFA (2020 Revision) to:

- Increase EGA 8 - Primary School Education by \$1.2 million in 2022 and decrease EGA 5 by \$1.2 million for 2023.
- Increase EGA 6 - Secondary Education by \$3.9 million in 2022 and decrease EGA 6 - Secondary Education by the same amount for 2023.

**EGA 8 - Facilities Management and
Operational School Support Services**

Madam Speaker, funding gaps were also identified in order to cover the costs for the last quarter of 2022.

Due to higher-than-budgeted transportation, janitorial services and software costs during the academic year 2021-2022 and 2022-2023, funds allocated for this appropriation were insufficient to cover all of the costs for 2022. Further impacts on this output are increased school maintenance, the provision of lateral

flow testing for staff and students, and refurbishment of the classroom for the dual-entry students attending the University College of the Cayman Islands (UCCI).

As there were no savings identified in other operating expenditure lines, funds were required to be brought forward from 2023 in line with the stipulations of the two-year budget; therefore, Madam Speaker, approval is required, under Section 9(5) of the PMFA (2020 Revision), to increase EGA 8 - Facilities Management and Operational School Support Services by \$2 million in 2022, and decrease EGA 8 under the same heading by \$2 million dollars in 2023.

TP 30 - Local and Overseas Scholarships and Bursaries

Madam Speaker, funding gaps were again identified in order to cover costs for the last quarter of 2022. The total projected costs for scholarship-related activities for the 2022 fiscal year was \$22,715,869.11 which results in a funding deficit of \$5,016,248.25 for the 2022 fiscal year. Again, there were no savings identified, so funds were required to be brought forward from 2023 in line with the stipulation of a two-year budget; therefore, Madam Speaker, approval is being sought under Section 9(5) of the PMFA to:

- Increase TP 30 - Local and Overseas Scholarships and Bursaries by \$5,016,248.25 for 2022, and decrease TP 30 under the same heading by the said amount, but from 2023.

CCO 1 - Teaching of Tertiary Level, Professional and Vocational Programmes

Madam Speaker, the Board of Governors for UCCI has various operational functions as part of its remit under the law.

In line with the fees provided to board members of other statutory authorities, in December 2021 the board fees were increased. This increase was not included in the allocation for UCCI for the 2022-2023 budget periods. Additionally, a cost of living adjustment (COLA) was approved for the UCCI staff to offset rising living expenses.

The additional cost required to meet the increased fees paid to the Board of Governors at UCCI is \$200,000 and a further \$82,000 to cover COLA. Approval is being sought by virtue of Section 11(5) of the PMFA (2020 Revision) to increase CCO 1 - Teaching of Tertiary Level, Professional and Vocational Programmes by \$282,000, and decrease TP 93 - Public School Grants and COVID-19 Recovery Programme by the said amount of \$282,000.

NGS 91 - Public School Meals Programme

Madam Speaker, approval of \$7,446,271 was granted for free meals in 2022. This allocation was to cover the provision of meals to our government primary schools and the Lighthouse School for the full year of 2022, and the government secondary schools commencing in September 2022; however, Madam Speaker, the secondary schools were brought into the programme earlier than budgeted, and were provided with free meals starting in March 2022, as opposed to September 2022.

The total anticipated cost for 2022 is \$8,196,271 which represents a shortfall of \$750,000. Approval is being sought by virtue of Section 11(5) of the PMFA (2020 Revision) to increase NGS 91 - Public School Meals Programme by \$750,000 and decrease TP 93 - Public School Grants and COVID-19 Recovery Programme by the said amount of \$750,000.

TP 51 - Other Educational and Training Assistance

Madam Speaker, the Wesleyan Christian Academy in West Bay has been undergoing serious financial challenges which were brought about by a number of factors. These include:

- Damage sustained to the school building during Tropical Storm Grace;
- Increased health and safety requirements due to the COVID-19 pandemic;
- Giving all parents a 20 per cent reduction in school fees during 2020, and a further compassionate payment discount for struggling parents;
- Increased operating costs such as utilities and insurance.

Although the school will be increasing tuition and other fees, and has received funding from the church, there is still a significant shortfall in order to continue operating for the 2022-2023 academic year. Due to these extenuating circumstances, and considering the social impact on families served by the school, it was befitting to assist in whatever way possible.

Madam Speaker, the assistance was in the form of a one-time grant of CI\$60,000; therefore, approval is required under Section 11(5) of the PMFA (2020 Revision) to increase TP 51 - Other Educational and Training Assistance by the said \$60,000.

Again, Madam Speaker, I thank you for allowing me the opportunity to explain the exceptional circumstances that resulted in the appropriations being requested by the Ministry of Education for the period 1st January to 30th November, 2022.

Moving on, Madam—

The Speaker: Honourable Member, just one minute please.

Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Madam Speaker, I just crave your indulgence to ask the Minister a couple of questions on her statement.

[Inaudible interjection]

The Speaker: Honourable Leader of the Opposition you may proceed.

Short Questions Standing Order 30 (2)

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

Madam Speaker, through you to the Minister: I note on page four of the statement you mentioned that there was a funding shortfall of some \$5 million in scholarships for 2022, and the full amount is \$22.7 million. I wonder what drivers contributed to the shortfall?

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

To the Honourable Leader of the Opposition: I am reliably informed that it included, but was not limited to grade waivers; an additional increase in scholarships; recipients for 'A' level, where one year was being paid and we added a second year for those students going to Catholic and Prep schools; the increased cost of the meals [programme] — we were supposed to start in September, but the high schools and dual entry students came in March of the year.

Also, the fall/spring [payments] for new students— because many of them attend schools where there are semesters, there's pre-payment of up to 60 per cent each year so that they can get in early in January and get the classes and books that they need in time, without having to wait for the processing in the New Year.

In addition, they have to budget for the full allocation because they don't anticipate that students are going to fail, therefore you'll find that there will be some savings early in the year unless there is an increased number in the scholarship applications before the 31st January. That is why there is an increase.

The Speaker: Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: One more question.

I am looking at the numbers, Minister. You funded this by drawing money out of 2023 and putting it into 2022. Is it safe to assume then, that you will be needing additional funding in 2023 in order to fund scholarships?

The Speaker: Honourable Minister of Education.

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

A keen observation. Based on the assumption that there are no savings because we are on a two-year budget, we would have to ask for additional needs; but I have every confidence that the Opposition will support it again because it is for education and, in particular, for scholarships— but it's a keen observation.

The Speaker: Honourable Minister for Education, you may proceed with your statement.

EXCEPTIONAL CIRCUMSTANCES TRANSACTIONS INCURRED DURING THE 2022 FINANCIAL YEAR FOR THE MINISTRY OF DISTRICT ADMINISTRATION AND LANDS

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

The statement relates to District Administration and Lands, and I thank you for the opportunity to elucidate, Madam Speaker.

Cabinet was asked to consider and approve the following requests for Section 11(5) appropriations in accordance with the PMFA (2020 Revision) via the Ministry of District Administration and Lands appropriation lines, so as to satisfy 2022 expenditure needs as follows:

Strata Fees for Crown-owned Property

Madam Speaker, there are two properties in the Grape Tree Condominium complex, the ownership of which was vested in the Crown on the 29th April, 2021. The former owner was a registered exempt company struck off by the Registrar of Companies on statutory grounds on the 31st December, 2009.

As a result of section 161 *[[sic] [162]* of the Companies Act (2022 Revision) which states, and I quote, “**Any property vested in or belonging to any company struck off the register under this Act shall thereupon vest in the Minister charged with responsibility for Finance and shall be subject to disposition by the Cabinet, or to retention for the benefit of the Islands**”; therefore the properties, and their relative strata liability, fell to the Government to settle.

To honour the Crown's contractual obligation as property owner, it was recommended that the strata fees be paid until sale of the condominiums is completed. The approval for the creation of the appropriation Other Executive Expenses (OE 147 - Strata Fees for Crown-Owned Property), under the Ministry of District Administration and Lands, was requested in order to make the strata fee payments for approximately half of 2022. An increase in the Other Executive Expense appropriation (OE 147 - Strata Fees for Crown-Owned Property) by CI\$24,420 (US\$29,158) was approved in order to make the said strata fee payment.

Land Acquisitions

Madam Speaker, Cabinet approved the increase of EA 4 - Land Acquisitions for \$2,310,904 to facilitate the acquisition of properties for future public use, namely:

Block & Parcel	Location	Amount	Reason
14 CJ124, 125, 126	George Town	\$500,000	Central Park
14CJ19	George Town	\$600,000	Central Park
49C17, 52, 53	North Side	\$480,904	NS Primary School Future Expansion
43D76	Bodden Town	\$730,000	Beach Expansion
Total		\$2,310,904	

Miscellaneous Road Surface Upgrades

Madam Speaker, the creation of Executive Asset appropriation EA 36 - Miscellaneous Road Surface Upgrades under the Ministry of District Administration and Lands, is required in order to manage the centralised costs and expenditure related to a new pilot programme that will be launched by the Cayman Islands' PACT Government via the Ministry of District Administration and Lands in 2023.

As mentioned in my budget address last year, the programme is intended to make affordable land lots available to Caymanians for current and/or future use. To facilitate this project, our Cabinet has approved an increase of \$800,000 to EA 36 to facilitate the infrastructural works needed to complete the development. More information regarding this programme will be forthcoming early in Quarter 1 (Q1) of next year, Madam Speaker.

Cayman Brac Major Capital Support Project

Madam Speaker via section 11(5) of the PMFA (2020 Revision), the Cabinet also approved the reallocation of \$635,000 within the Ministry of District Administration and Lands allocations, to facilitate the Ministry constructing necessary infrastructure namely, an accommodation wing in the multi-purpose hall on Cayman Brac, to facilitate future Cayman Islands Government (CIG) major capital projects. Such an accommodation wing would afford the CIG the ability to control accommodation costs for large contractors bidding on major CIG Cayman Brac capital projects.

Edward Bodden Airfield

Madam Speaker, the Ministry requested, and Cabinet duly approved, the creation of an appropriation, Other Executive Expense (OE 148 - Lease Payment) under the Ministry, in order to make the annual payments for the lease of some of the parcels— that is, 65 per cent of the airfield in Little Cayman known as Edward Bodden Airfield.

An increase in Other Executive Expense appropriation (OE 148 - Lease Payment) by \$91,600 was approved in order to make the necessary lease payments. This amount covers the following lease periods:

- 1st January, 2017 to 31st December 2019, at CI\$7,200 per annum;
- 1st January, 2020 to 31st December 2023, at \$17,500 per annum.

The lease related to this supplementary appropriation is for a term of 14 years and expires on 31st December, 2030.

Section 12

Madam Speaker, Cabinet was also asked to consider and indeed approved, the following requests for section 12 appropriations in accordance with the PMFA (2020 Revision) to fund the projected (non-cash) expense of depreciation for the Ministry of District Administration and Lands.

The calculation for the 2022-2023 budget was determined based on the initial asset transfer before considering the January 2021 asset valuation exercise which was received in February of this year, and gauged for reasonableness based on the 2021 Appropriation in the previous Ministry of District Administration, Tourism and Transport, which was approximately CI\$700,000 for District Administration assets that were being transferred to the new Ministry of District Administration and Lands.

Madam Speaker, with the depreciation being significantly higher than previously anticipated, no residual budget was transferred to the new Ministry from the previous Ministry to fund OE 134 - Depreciation of Executive Assets for the six months of 2021, thus the higher than expected depreciation thereby underpinning the gap between the projected amounts and the actual budget.

The gap for 2021, however, was covered from the reallocation of funds from other capital related appropriations— an additional CI\$500,000 over the initial agreed transfer amounts which was received from the previous Ministry. However, Madam Speaker, there remains a gap of approximately \$6.6 million each year (2022 and 2023) which is not funded. As a result, the Ministry of District Administration sought and obtained Cabinet's approval of \$6,520,000 for OE 134 - Executive Asset Depreciation for 2022 and the same amount for 2023.

Again, Madam Speaker, I thank you for allowing me the opportunity to explain, as required under the law, these appropriations for Sections 11(5) and 12 of the Public Management and Finance Act (2020 Revision) for the 2022 fiscal year.

Thank you.

The Speaker: I will now call on the Honourable Premier who had a second statement that I forgot to mention.

THE PREMIER'S STATEMENT ON FUNDING TO THE PORTFOLIO OF LEGAL AFFAIRS

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

Madam Speaker, thank you again for this opportunity to make this statement, in accordance with Section 11(5) of the Public Management and Finance Act (2020 Revision), regarding a Cabinet decision to allocate supplementary funding from the Ministry of Sustainability and Climate Resiliency to the Portfolio of Legal Affairs, to cover the settlement of costs regarding the application for judicial review filed in the Grand Court by *Feline Friends Limited and the Cayman Islands' Humane Society vs the Directors of Agriculture and Environment*.

Madam Speaker, at the heart of this matter is the urgent need to protect vulnerable species such as the Red-footed booby; the Cayman Brac Brown booby; and the Sister Islands' endemic Rock Iguanas from going extinct because of invasive predators. While we respect the important work of our local animal welfare charities to prevent animal suffering and reduce the number of homeless pets in our community—and I certainly applaud them for their herculean efforts in this regard—I also firmly believe that this work should not happen to the detriment of our unique, endemic, and native species.

Madam Speaker, I am pleased that we were ultimately able to reach a settlement on this matter, as a protracted battle through the courts would have only prolonged the suffering of our native species and the feral cats, while amounting to significant legal fees for all parties. This settlement allowed Government to close out this matter, so our environmental experts can now progress our conservation aims in the Sister Islands.

Madam Speaker, to give some context to the statement, the Ministry of Sustainability and Climate Resiliency has responsibility for the Department of Environment, however, prior to 14 April, 2021, the responsibility for the Department of Environment was managed under the former Ministry of Health, Environment, Culture and Housing.

Madam Speaker, on 19 February, 2018, Feline Friends Limited and the Cayman Islands' Humane Society filed an application for leave to apply for judicial review to the Grand Court of the Cayman Islands

(Cause G-25 of 2018) against the Directors of Agriculture and Environment. This application arose from the applicants' concerns with the department's efforts to protect populations of indigenous seabirds and Rock iguanas on the Sister Islands, particularly the work to humanely trap and euthanise the predatory feral cats that had been significantly and negatively impacting these indigenous species' populations.

At the time, the Director of the Department of Environment (DOE) and the Director of the Department of Agriculture (DOA) gave an undertaking to the court that they would not undertake the capture and euthanasiation of the feral cats until further notice. This undertaking was given with the hope of arriving at a consensus regarding the way forward with this important work to protect indigenous seabirds and Sister Islands' Rock iguanas. For over three years, Madam Speaker, the DOE and the DOA diligently engaged in negotiations with the parties, Feline Friends and the Humane Society, in order to reach an agreement outside of court.

With each iteration of the proposed settlement agreement, the government departments found themselves being asked to consider some new or alternate terms; some of those terms being so restrictive that they involved the DOA and DOE almost having to seek permission from Feline Friends and the Humane Society in order to carry out their statutory duties under their respective Acts and Regulations. The process was also protracted due to the very long delays and responses from the applicants during the negotiations.

In the end, Madam Speaker, it was determined that the Departments of Agriculture and Environment, and by extension the government, simply could not afford to let the matter remain unresolved any longer, as we needed to act quickly to provide protection to the birds and iguanas. Therefore, in November 2021, the Department of Agriculture and the Department of Environment moved to have the matter listed for hearing.

On 16th February, 2022, having been notified of the Departments' position, the attorneys for Feline Friends Limited and the Cayman Islands Humane Society presented the opportunity to bring closure to the matter through payment of their legal costs to date. This move was viewed by everyone involved on the government side to be the preferred option, as it avoids the additional costs of a court hearing and should allow for faster resolution of the matter.

Madam Speaker, during the establishment of the Ministry of Sustainability and Climate Resiliency a budget was approved to cover professional services relating to policy and administration—that is, Output SCR 1. The Ministry of Sustainability and Climate Resiliency did not include funds for settlement of a long-outstanding claim in its budget, as it was not possible for us to have anticipated if, when, or how, this long outstanding matter might be resolved. However, once the opportunity to settle the matter was presented, and given the urgency of the matter, and the amount of funding required to bring the matter to a close and allow

the critical work to continue, the Ministry was prepared to reallocate some of its funds to meet this expenditure.

The Ministry's budget does not have a line item for settlement of claims, Madam Speaker, so it was proposed that the funds be reallocated to the existing OE 105 - Settlement of Claims under the Portfolio of Legal Affairs— this is the basis of the exceptional circumstance for which this reallocation was required. Accordingly, Cabinet authorised the reallocation of funds to pay the agreed settlement amount in accordance with Sections 11(5) and (6) of the Public Management and Finance Act (2020 Revision).

In so doing, Madam Speaker, funding for output SCR 1 - Policy Administration under my Ministry of Sustainability and Climate Resiliency for the 2022 financial year was decreased by \$25,000 and OE 105 - Settlement of Claims under the Portfolio of Legal Affairs for the 2022 fiscal year was increased by the same amount.

I would like it to be clear that this was a net zero transaction, it did not result in any increase in the approved government budget. Indeed, Madam Speaker, in considering this reallocation, Cabinet was advised by the Ministry of Finance and Economic Development that the proposed appropriation changes would not have any impact on Government's forecast financial performance for the 2022 financial year. Furthermore, the Attorney General's Chambers was consulted, and advised that there are no legal implications beyond those already identified as it relates to the application for additional funding.

Madam Speaker, as a Government, we take such matters as learning experiences and strive for continued improvement of our policies and practices which may include more consultation either with government or externally. This Government, and all of my colleagues on the Government bench recognise, that where a member of the public exercises his or her right to query the actions of the Government and seeks a review of the matter by the courts, it is often a necessary tool to assist us in strengthening our governance practices.

In turn, Madam Speaker, this makes our Government more accountable and transparent in our dealings with whom we are elected to serve. That increased level of accountability and transparency elevates the public's trust in the future actions and decisions of the Government. This experience has also contributed to the Government's efforts to develop a comprehensive framework of legislation and policy aimed at safeguarding the sustainable future of our Islands' natural environment and our native and endemic flora and fauna.

Recently, the National Conservation (Alien Species) Regulations, 2022, came into effect, offering further legal clarification needed to satisfy the control of alien plant and animal species in the Cayman Islands. As early as the 1980s, the Cayman Islands Government began identifying issues with feral and invasive alien species in the Sister Islands, Madam Speaker,

particularly in Little Cayman. Effectively managing the potential and realised impact of feral and invasive species is critical to ensuring the continued existence of our native and endemic species and the long-term viability of our natural ecosystems.

In closing, Madam Speaker, I wish to thank everyone that has been involved in arranging and settling this payment within the time frame agreed with Feline Friends Limited and the Cayman Islands Humane Society.

Thank you.

The Speaker: I have given leave to the Honourable Minister for Sports to make a statement.

HON. BERNIE BUSH - UPDATE ON SPORTS

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

I rise to speak to this honourable House on the many accomplishments of our athletes overseas.

Swimming

I have to thank the Member for George Town West for reminding us that the Crooks siblings are currently in Melbourne, Australia competing in the FINA World Championships.

We had this statement prepared for the last day of Parliament, Madam Speaker, we were waiting until his finals tonight with the 50 metre; however, yesterday we got the good news of his qualifying for the 100 metres finals. He finished sixth, but led the race at 75 metres. If the country and people want to watch him swim the 50 metre they can via www.youtube.com/@WorldAquatics between 8:00 and 8.30 tonight. We are keeping our fingers crossed. I am not going to jinx him by saying what he will do, but thanks to the Member for George Town West, Mr. Wight, for bringing it to our attention yesterday.

We had also prepared to share—on the last day of the sitting of this House—that his sister also competed in the 100 metres freestyle preliminary on Tuesday and impressively finished second in her heat. She did a new personal best [time] but it did not get her through to the finals, still we are very, very proud because it is her personal best and she gave it her all.

This is one of the reasons, Madam Speaker, that this Government has started serious talks of the 50-metre pool. The Memorandum of Understanding (MOU) should be signed in January—

[Desk thumping]

Hon. Bernie A. Bush: This is only the beginning. People must keep in mind that these are very young people; there are another five who are also moving into the world-class range and France 2024 is right around the

corner. There is a chance that for the first time, this country will have a medal in the Olympics— not just participating, but going for the medals. It has been an outstanding year for CARIFTA athletes, especially in swimming.

Natural Bodybuilding

Madam Speaker, the Cayman Islands hosted a World Natural Bodybuilding Competition last month, and our very own Robert Thompson, Jr. finished second overall. Two weeks later, he went to California and won the World Championships. Ladies and gentlemen, people of this country—

[Desk thumping]

Hon. Bernie A. Bush: The World Champion is from right here in Grand Cayman. Congratulations to Robert from everyone.

Jet Ski Racing

In the growing sport of Jet Ski racing, the Cayman Islands Watercraft Association has been creating a safe avenue for Caymanian riders to shine both locally and internationally.

Locally, having just wrapped the 2022 season, notable first time stand out, Aaliyah Ebanks, joined the beginners' division and blew it away as a girl beating the boys; and while the pro class winner, Matthew Panton did not get to travel to the World's, we were able to send Cline Glidden, Jr. and Seth Watler, who competed in the amateur and pro categories respectively. Due to injuries Seth finished 17th, but Cline finished 4th in the World Championships— once again, *congratulations*.

In the New Year, the association and I will be meeting with the world organising body to make Cayman one of the legs of this competition.

Athletics

Our athletes ended their season with great success in college. Ms. Shalisa Ray graduated, so we have another young lady who is probably looking forward to going on to the pro scene.

Young high schooler Devonte Howell impressively completed his first season at IMG Elite Academy with both indoor and outdoor all-American status in his first year. The Ministry is proud to say we sponsored him.

We also saw impressive accomplishments from our athletes at both the CARIFTA and Commonwealth games this year.

Golf

Madam Speaker, Aaron Jarvis continued to represent the Cayman Islands proudly after being

crowned the 2022 Latin American champion. He went on to compete in the US Masters Tournament and the British Open Championship. He is another athlete we are working with and so have provided a personal trainer to help him, whenever he comes home.

Other Sports

The list goes on Madam Speaker; there are outstanding performances in many sports— gymnastics, sailing, rugby, football, badminton, volleyball and more.

I must say here, that some sports are doing an awesome job, and rugby is one of those. The integration of new Caymanians [with] the long-term Caymanians is beautiful to see. I will quote what the Deputy Premier always says, "*this Island was built on integration, not segregation*", and we are seeing it in rugby.

[Desk thumping]

Volleyball

Hon. Bernie A. Bush: Madam Speaker, volleyball had a beautiful, first ever, under-23 tournament. Our Caymanian teams were the youngest teams there and they have another seven years of competing in that under-23 category, so we're looking good down the road.

Madam Speaker, I could spend all day talking on the accomplishments of our athletes, but I know we have other business to finish in this honourable House. However, before I sit, I would like to send congratulations and thanks:

- to each athlete, for representing our country with pride;
- to the Ministry staff and Department of Sports, for their continued work to ensure our athletes have the necessary facilities and advantages to move ahead; and
- to the PACT Government, for supporting me in helping our athletes.

Thank you all very much.

[Desk thumping]

The Speaker: Honourable Members, we have reached 20 minutes to 5 o'clock.

Suspension of Standing Orders 10(2)

Hon. Kenneth V. Bryan: Madam Speaker, I rise to move the suspension of Standing Order 10(2) so the House can continue after the hour of 4.30pm.

The Speaker: The question is that Standing Order 10(2) be now suspended so that we can continue business past the hour of 4.30pm.

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

AYES.

[Inaudible interjection]

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: I now call on the Honourable Minister of Tourism and Transport to make a statement.

**EXCEPTIONAL CIRCUMSTANCE
TRANSACTIONS INCURRED BY THE MINISTRY
OF TOURISM AND TRANSPORT DURING THE
2021 AND 2022 FINANCIAL YEARS**

Hon. Kenneth V. Bryan: Thank you, Madam Speaker.

I rise to make a statement in accordance with Section 11(6) of the Public Management and Finance Act (2020 Revision) in relation to the Section 11(5) appropriations during 2021 and 2022 financial years.

Financial Year 2021

Madam Speaker, TP 67 - Sports and Cultural Tourism Programmes Assistance was increased by \$1.8 million in order to assist with providing financial assistance to displaced tourism employees that have been affected by the COVID-19 pandemic and the resulting closure of the Cayman Islands' borders.

The Appropriation EI 49 - Cayman Turtle Conservation and Education Centre Limited was increased by \$150,000 in order to assist with the shortfalls between expenses and revenues due to the closure of the Cayman Islands' borders in response to the COVID-19 pandemic. This increase was funded by a similar decrease in EA 157 - Cayman Turtle Conservation Centre - Cayman Brac Facility.

Madam Speaker, EA 159 - Waterfront Tourism Experience was increased by \$100,000 in order to assist with the demolishing of wooden structures on the site and the removal of derelict vehicles. This increase was funded by a similar decrease in EA 157 - Cayman Turtle Conservation Centre - Cayman Brac Facility.

Financial Year 2022

Madam Speaker, the appropriations for CAL 2 - Strategic Tourism, Regional and Core Air Services was increased by \$319,032.92 in order to assist with the following:

- A monthly honorarium of \$150 to assist Cayman Airways Limited (CAL), non-executive employees Grade E and below with utility expenses for June, July and August, 2022;

- A 2 per cent cost of living (COLA) adjustment increase for all CAL employees in September of 2022; and
- A one-point increment increase for qualifying CAL non-executive employees Grade E and below in December 2022, broadly equivalent to a 2.5 per cent increase.

The appropriation DAT 17 - Tourism Support, Training, Promotional and Advertising Activities was increased by \$350,000 in order to assist with hosting an in-market event in Los Angeles and underwriting the cost of a special charter from Los Angeles, to host travel advisors who sell the destination.

Madam Speaker, the appropriation CAL 2 - Strategic Tourism, Regional and Core Air Services was increased by \$1,450,000 in order to accommodate the new Los Angeles (LAX) route launch and the first four months of operational costs.

Thank you, Madam Speaker.

The Speaker: I now call on the Honourable Minister of Health and Wellness to make a statement.

**EXCEPTIONAL CIRCUMSTANCE
TRANSACTIONS INCURRED BY THE
MINISTRY OF HOME AFFAIRS DURING
THE 2021 AND 2022 FINANCIAL YEARS**

Hon. Sabrina T. Turner, Minister of Health and Wellness and Home Affairs, Elected Member for Prospect: Thank you, Madam Speaker.

Madam Speaker, thank you for allowing me the opportunity to bring to the attention of this honourable Parliament the details of appropriation changes approved by Cabinet for the Ministry of Home Affairs in accordance with Section 11(5) of the Public Management and Finance Act (2020 Revision). I would like to report on the following approvals made by Cabinet:

- a. Transfer of funding approved for the Cayman Islands Cadet Corps in 2021;
- b. Transfer of funding approved for the Cayman Islands Cadet Corps in 2022;
- c. Supplementary funding for His Majesty's Cayman Islands Prison in 2022;
- d. Supplementary funding for the Cayman Islands Regiment 2022;
- e. Supplementary funding for the Cayman Islands Regiment in 2023.

Cayman Islands Cadet Corps

Madam Speaker, there were two approvals for funding in relation to the Cayman Islands Cadet Corps in the 2021 and 2022 appropriations respectively.

The first approval was a transfer of funding in the amount of \$17,520.33 from HAF 1 - Policy Advice, Legislative Initiatives and Ministerial Services to NGS - Youth Development Programmes, Ministry of Youth,

Sports, Culture and Heritage in the same amount in 2021.

Madam Speaker, the exceptional circumstances arose out of the payment for verified hours of services delivered by volunteer members of the Cayman Islands Cadet Corps in 2021. The increased number of volunteer hours was as a result of the essential services provided in support of the National Emergency Operations Centre (NEOC).

In addition, throughout 2021, there was a heavy reliance on trained volunteers of the Cadet Corps to successfully deliver camps and training; and participation in parades.

The Speaker: Honourable Minister for Health and Wellness, sorry to interrupt you. It appears that the statement you're reading is different from what was provided to Members. Just wondering if you could give a commitment that you will send the updated copy once you have completed your statement?

Hon. Sabrina T. Turner: [Yes, I commit to update this House](#); my humble apologies. Thank you.

Madam Speaker, you will recall that following the general election, the original arrangement of ministerial portfolios placed the Cayman Islands Cadet Corps under the Ministry of Youth, Sports, Culture, Heritage and Home Affairs; as such, appropriations were made to that Ministry through NGS 59 for the purpose of financing youth development programmes which included activities and services delivered by the Cadet Corps.

Subsequently, however, Cabinet took a policy decision to separate home affairs from matters related to youth, sports, culture and heritage, and to transfer the Cadet Corps to the new Ministry of Home Affairs. However, funding for the purchase agreement in the amount of \$25,000 remained within NGS 59 - Youth Development Programmes within the budget of the Ministry of Youth, Sports, Culture and Heritage. The work of the cadet corps volunteers exceeded the \$25,000 budgeted for the purchase agreement. The additional costs amounted to \$17,520.33.

Madam Speaker, in order to meet the additional costs, Cabinet approved the transfer of funds in the amount of \$17,520.33 from HAF 1 - Policy Advice, Legislative Initiatives and Ministerial Services, Ministry of Home Affairs, to NGS 59 - Youth Development Programmes, Ministry of Youth, Sports, Culture and Heritage, pursuant to section 11(5) of the Public Management and Finance Act (2020 Revision).

The second approval, Madam Speaker, was a transfer of funding request to reduce HAF 07 - Cadet Corps Services in the amount of CI\$40,814.08 and increase NGS 90 - Cayman Islands Cadet Corps Committee, Ministry of Home Affairs by the same amount, for operating expenditure in the 2022 appropriations.

Throughout 2022, volunteers of the cadet corps continued to deliver essential functions of the

Cayman Islands Cadet Corps. Sufficient coverage for cadet corps activities required heavy reliance on these trained volunteers to support NEOC, and to ensure proper supervision and child safeguarding requirements were met with the camps, parades and training. As an example, volunteers were needed to provide supervision for the 20th Anniversary Annual Camp held in July 2022 for two weeks. There were 201 children who benefited from the camp from all three Islands, as well as 35 visiting cadets from other Caribbean countries.

Madam Speaker, it is important to consider the growth of the Cayman Islands Cadet Corps and understand the reasons that the purchase agreement has been exceeded. The number of children enrolling in the cadet programme has more than doubled over the past three years. In 2022, there was a 22 per cent increase in the number of cadet recruits and a 15 per cent increase in the number of enrolments compared to 2021. As a result, there has been the need for additional volunteers and the number of hours they have provided to meet the outputs of the Cadet Corps.

Given the growth of the Cayman Islands Cadet Corps, it incurred costs related to volunteer hours which exceeded the \$25,000 budgeted for the purchase agreement. The additional costs amount to CI\$40,814.08. In order to meet the additional cost, Madam Speaker, Cabinet approved the transfer of funds in the amount of \$40,814.08 from HAF 07 - Ministry of Home Affairs to NGS 90 - Cayman Islands Cadet Corps Committee in the amount of \$40,814.08 pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision).

The authorised exceptional circumstances for both appropriation changes for the Cayman Islands Cadet Corps did not impact the Government's forecast financial position, as the Ministry of Home Affairs identified savings within its current budget to facilitate the recommended transfer of funds.

His Majesty's Cayman Islands Prison Service

Madam Speaker, Cabinet approved supplementary funding pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision), in the 2022 appropriations to the Ministry of Home Affairs by increasing output group HAF 03 - Prison Custodial Services in the amount of CI\$423,776.

Madam Speaker, this approval was made in order to remedy government liability which is subject to a confidentiality clause. It is my understanding that the honourable Deputy Governor will speak to this subject matter.

Cayman Islands Regiment

As previously stated, Madam Speaker, there were two approvals for changes in appropriations in relation to the Cayman Islands Regiment.

The first approval made by Cabinet for the Cayman Islands Regiment, Madam Speaker, was for CI\$490,000 in capital expenditure and CI\$238,968 in operational expenditure for the 2022 financial year. Madam Speaker, this funding has allowed the Cayman Islands Regiment to increase its impact and capacity in fulfilling a critical support role to the Government's emergency and essential services. It specifically bolstered the operational and support fleet of the Cayman Islands Regiment, which is essential for disaster mitigation.

In addition, Madam Speaker, this funding was requested to ensure that in the future, the regiment is led by experienced Caymanians and staffed by Caymanians at all levels. Madam Speaker, you will appreciate that Cayman does not have a history that encompasses formal military structures, fleet or significant numbers of trained and experienced Caymanian military personnel.

This means that all Caymanian military personnel must be brought in at junior ranks within the Regiment career structure. Career development, Madam Speaker, can only be accomplished through a robust training programme for commissioned officers, as well as non-commissioned officers covering technical, tactical, operational, management, and leadership skills in the specialised military context. This funding will allow for fast-tracked upward career progression through training opportunities and newly established posts at various levels within the military structure, ensuring opportunities for growth within the Cayman Islands Regiment for Caymanians.

In the second instance, Cabinet approved \$135,185.76 in operational expenditure for HAF 06 - Cayman Islands Regiment for the 2023 financial year, in order to meet the cost associated with converting the post of the commanding officer to a full-time position. At this point in the early stages of the Cayman Islands Regiment's development, it was identified that a full-time commanding officer position is needed to bring the Regiment to full operational capacity with effective governance. It would allow for additional attention and focus to be placed on the strategic, financial and people management of the Cayman Islands Regiment.

As previously stated, Madam Speaker, all requests were made and approved pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision).

Thank you, Madam Speaker.

**EXCEPTIONAL CIRCUMSTANCES
TRANSACTIONS INCURRED BY THE
MINISTRY OF HEALTH AND WELLNESS
DURING THE 2020 AND 2021
FINANCIAL YEARS**

Hon. Sabrina T. Turner: Madam Speaker, thank you for allowing me the opportunity to bring to the attention of this honourable Parliament the details of the

appropriation changes approved by Cabinet for the Ministry of Health and Wellness ("the Ministry") in accordance with Section 11(5) of the Public Management and Finance Act (2020 Revision) during the 2020 and 2021 financial years.

The Ministry had three changes during 2020 and six changes during the 2021 financial years. As we are all aware, our Islands were presented with one of our greatest challenges yet when the novel coronavirus, commonly referred to as COVID-19, was declared a public health emergency of international concern on 30th January, 2020, and then a pandemic on March 11th, 2020.

On 18th February, 2020, in accordance with Section 11(5) of the Public Management Finance Act (2018 Revision), Cabinet granted approval for an increase of \$784,000 for HEA 20 - Public Health Services, to cover estimated emergency funding related to the start-up costs and monthly ongoing costs for equipment, staffing, and supplies for COVID-19. At the time, it brought the total approved HEA 20 - Public Health Services appropriation for 2020 to approximately \$2.14 million. The approval was necessary to ensure that the Health Services Authority [HSA] was prepared to meet the emerging threat related to the COVID-19 virus during the 2020 fiscal year.

Madam Speaker, in the Finance Committee held in December of 2019 the then Ministry of Health, Environment, Culture and Housing was granted funding of CI\$34,468,867 via appropriation EI 53 for various capital purchases during the 2020 fiscal year. Of this amount, \$1.2 million was earmarked for the reclamation and remediation of the Kaibo Public Beach, which is under the remit of the Ministry of Planning. The funding was initially included under the Ministry of Health's EI 53 appropriation, and reflected in EPF Resolution for 2020-2021 which was passed in Finance Committee on 3rd December, 2019, with the understanding it would be subsequently transferred to the appropriate Ministry in order to be utilised.

Madam Speaker, on 18th August, 2020 Cabinet approved an increase to appropriation EA 153 - Upgrade of National Parks by CI\$1.2 million and instructed the Ministry of Finance and Economic Development to decrease EI 53 - Ministry of Health, Environment, Culture and Housing's capital funding by the same amount, to compensate.

Madam Speaker, on 8th September, 2020, supplementary funding of CI\$536,000 was approved by Cabinet via Section 11(5) of the Public Management and Finance Act (2020 Revision) to cover the cost of emergency works at the George Town landfill due to fire. The emergency cost was initially paid from the DEH operational budget with the supplementary funding being reallocated from the remediation budget of the integrated solid waste management system under appropriation EI 53 to the DEH budget under appropriation HES 7.

Madam Speaker, at the onset of the COVID-19 pandemic in early 2020, the Ministry sought to alleviate the immediate needs of the Islands' most vulnerable; as such, programmes for grants to local musicians and health insurance assistance payments were introduced. These initiatives were serviced through line item TP 73 - Other Health and Cultural Programmes Assistance, which is primarily used to provide one-off grants for community initiatives falling within the remit of the Ministry.

Madam Speaker, for the fiscal year 2021, the Ministry received a budget appropriation for TP 73 in the amount of CI\$482,500 and a subsequent revised appropriation of \$1 million, when year-end 2021 funding was brought forward into the 2020 financial year to meet immediate needs caused by the pandemic. Notable initiatives the Ministry undertook using TP 73 funding during the period were as follows:

- Purchase of masks which were distributed to frontline workers, children and other vulnerable persons;
- Musician grants to full-time and part-time entertainers and musicians who experienced financial setbacks due to an inability to perform. A one-time payment was disbursed between May-June 2020;
- Artist grants through the Cayman National Cultural Foundation and the National Gallery to artists who were struggling as a result of the COVID-19 pandemic; and
- Health Insurance Premium Payment Assistance Programme administered by the Department of Health Regulatory Services in three separate tranches: March-June 2021, July-September 2021, and October-December 2021.

Madam Speaker, on 12th January, 2021, the Ministry received approval from Cabinet for the reallocation of funding from the then EI 53 - Ministry of Health Environment, Culture and Housing appropriation into TP 73 - Other Health and Cultural Programmes Assistance, to cover the additional unexpected expenditures caused by the impact of the pandemic to the more vulnerable amongst us. TP 73 is primarily used to provide one-off grants for community initiatives that fall under the Ministry's remit.

The Ministry of Health, despite being one of the larger Ministries, has historically had lower TP budgets; the pandemic and the resulting economic downturn created the need to extend financial assistance within our community, and while the subject of culture dealing with local artists and musicians was transferred post general election, health insurance premium assistance requests remained steady. The resulting effect, Madam Speaker, was an almost-exhausted TP balance as at 30th June, 2021.

Madam Speaker, between January and June of 2021, \$972,343 was spent to provide financial support to those who requested assistance under the Ministry's grant schemes. A request was made to Cabinet in August 2021 for the reimbursement of funds related to COVID-19 pandemic initiatives, given that \$814,639 or 83.78 per cent of the total amount spent was directly related to the Ministry's response to the COVID-19 pandemic and the initiatives designed to meet the needs created by it, with the break down notes as follows:

- Health insurance premium payments, \$591,639; and
- Musician grants, \$223,000.

Madam Speaker, from the beginning of the pandemic the staff in the Ministry and its relevant departments diligently sought to ensure that applicants were provided with relevant support, and ultimately over 1,700 persons received requested assistance.

On 17th August, 2021, Cabinet approved the reimbursement of the COVID-19 related payments for January-June 2021 from appropriation OE 140 – COVID-19 Response and Recovery, to appropriation TP 73 - Other Health and Cultural Programme Assistance, to ensure that the Ministry was able to continue providing aid to those who needed it. The reimbursement was used in particular to fund the continuation of the Health Insurance Premiums Assistance Programme which, as publicly announced, was extended for a further three months from July-September of 2021.

Madam Speaker, while the Ministry initially sought reimbursement for the full COVID-19 related payments of \$814,639 to be able to adequately fund the continuation of the programme until the end of the year as announced, due to insufficient funds available under OE 140, approval was only sought for the available supplementary funding of \$150,000 until the Ministry of Finance secured additional funding.

Madam Speaker, in November of 2021, the Ministry requested an additional reallocation of funding under Section 11(5) of the Public Management and Finance Act (2020 Revision), which was approved by Cabinet on 16th November, 2021. As with other relevant entities, the departments and units under the Ministry of Health and Wellness continued to focus efforts on managing the effects of SARS-CoV-2 with programmes and initiatives that enhanced current COVID-19 Regulations for prevention, control, and suppression. One such undertaking, Madam Speaker, was the use of the Flowflex antigen rapid tests otherwise referred to as lateral flow tests, which were included in our national testing protocols for the purpose of screening and surveillance for COVID-19.

Madam Speaker, COVID-19 demonstrated the capability to spread rapidly, leading to societal disruption and causing significant impacts on health care systems around the world. To respond effectively to the

outbreak of this disease, rapid detection of cases and contact tracing was critical in conjunction with appropriate clinical management and infection control and the implementation of community mitigation efforts. As such, Madam Speaker, approval was sought from Cabinet for supplementary funds to top-up the Ministry's TP 73 appropriation, in order to purchase 500,000 lateral flow test kits sourced by my Ministry on an exceptional circumstances basis in accordance with the principles of the Procurement Act, 2016 and the Procurement Regulations, 2018.

Madam Speaker, it was agreed to reallocate CI\$1.275 million from EI 53 - Ministry of Health and Wellness to TP 73 once the funding from OE 140 became unavailable. Cabinet's approval of the reallocation of funding enabled the Ministry of Health and Wellness, and the Cayman Islands Government, to fulfil its obligations to the procurement order of 500,000 lateral flow tests from a local supplier.

Madam Speaker, in December 2021 the Ministry sought an additional reallocation of funding under Section 11(5) of the Public Management and Finance Act (2020 Revision) from TP 73 - Other Health Programme Assistance to TP 44 - Temporary Poor Relief Payments for Young Parents Programme (YPP) Students for 2021. The request was approved by Cabinet on 17th December, and the supplementary funding allowed the Ministry of Health and Wellness, through the Department of Counselling Services, to continue to meet the needs of the young parents enrolled in the programme.

Finally, Madam Speaker, in December 2021 the Ministry sought an additional reallocation of funding under Section 11(5) of the Public Management and Finance Act (2020 Revision) to fund the construction of cemetery vaults which was projected to exceed the approved 2021 appropriation by CI\$216,000. The request was approved by Cabinet on 17th December, 2021.

In previous years, this appropriation was lowered due to delays in the procurement and awarding of contracts however, since the beginning of 2020, the Department of Environmental Health retained oversight and project management for the cemetery vaults, which enabled the department to respond to needs and meet the public's demand for vaults by having sufficient vaults on hand to maintain district cemetery capacity.

Thank you, Madam Speaker, for the opportunity to outline the various Section 11(5) supplementary funding requests that occurred during the 2020 and 2021 fiscal years.

The Speaker: I have given leave to the Honourable Minister for Planning, Agriculture, Housing and Infrastructure to make the final few statements.

EXCEPTIONAL CIRCUMSTANCES TRANSACTIONS INCURRED BY THE

MINISTRY OF PLANNING, AGRICULTURE, HOUSING AND INFRASTRUCTURE

Hon. Johany S. Ebanks, Minister of Planning, Agriculture, Housing and Infrastructure, Elected Member for North Side: Madam Speaker, I wish to make a statement to this [honourable House] on the circumstances surrounding the Ministry of Planning, Agriculture, Housing and Infrastructure's requests for increase of allocation of funds pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision) (PMFA).

Madam Speaker, there are a number of Ministry entities that are realising a shortfall in funding due to increased costs and services. The Department of Agriculture, for example, expended its budget for feed and other agricultural inputs earlier in November, while the Public Works Department (PWD) will require additional funding to maintain the Apprenticeship Training Programme, while supplies and consumables for departments such as the Department of Vehicle and Drivers' Licensing, Department of Agriculture and Department of Vehicle Equipment Services have been fully exhausted. As you can imagine, Madam Speaker, services from these departments are critical, and will require additional funding in the financial year 2023.

While the Ministry has realised an under spend in the financial year 2022 for appropriation EA 161 - Submarine Cable, the project is progressing well and it is anticipated that these funds will be necessary for 2023; therefore, Madam Speaker, the Ministry has minimised transfers to other appropriations in financial year 2022. In addition, the Ministry projects some savings from its entities' appropriations and therefore has contributed \$3,550,000 towards the request.

Madam Speaker, in the first instance, while appropriation EI 71 will be used to fund a number of Ministry departments, the increase will assist the Public Works Department for the purpose of replacing various fixed asset items, such as information technology hardware, which has depreciated fully, and furniture damaged during Hurricane Ian which now requires replacement.

In addition, Madam Speaker, it has become imperative for the PWD to procure its own grab truck to help it better manage clean-up sites and assist the government in times of natural disaster. Currently, during projects' clean-up phase, PWD procures grab truck services from the Department of Environmental Health or the private sector, however, this is becoming unreliable and unsustainable, as it results in delays in the department's timeline.

Madam Speaker, both the plumbing and construction units are in need of tools and equipment in order to undertake services to multiple government agencies as well as for the Apprenticeship Training Programme. The latter has seen a positive growth in its enrolment and now requires additional tools and equipment to effectively carry out its programmes. While it is

anticipated that most of the funding is necessary in 2022, the Ministry has attempted to spread it over the 2022 and 2023 financial years.

Madam Speaker, concerning the transfer/increase to EA 142 - George Town Revitalisation Initiative (GTR) and TP 90 - Assistance to George Town Revitalisation (GTR), the project has been progressing well and has received positive feedback from a number of stakeholders. While the Ministry has successfully navigated rising supply chain issues, there have been minor change orders, including utility work that was unforeseen but necessary to address at this juncture.

In addition, Madam Speaker, there are the usual Christmas decorations and festivities in the central business district needed to attract shoppers to the area. This is an important time of the year for these activities, as business continues to bounce back after an extended lockdown period due to COVID-19. We anticipate that the recent opening of Cardinall Avenue will attract and encourage shoppers and pedestrians to the area.

In light of the above mentioned, Madam Speaker, pursuant to Section 11(5) of the PMFA (2020 Revision) for the financial year 2022, the Ministry, decreased EA 161 - Submarine Cable's FY2022 by \$1,615,000 for:

- A transfer of \$1,555,000 to EI 71 - Ministry of Planning, Agriculture and Housing; and
- A transfer of \$60,000 to TP 9 - Assistance to the GTR [George Town Revitalisation] Project.

As it relates to the Ministry's entity group outputs, operational expenditure covering several key areas of the PWD budget, specifically PAH 04, PAH 08, PAH 10 and PAH 23 require funding to ensure continued delivery of services for the remainder of the 2022 period. Services such as landscaping of government-owned buildings, janitorial services for public restrooms on Crown properties and the Apprenticeship Training Programme, will be adversely impacted by the third quarter of 2022 and in 2023, due to reduced stock of training materials necessary for the programme's continuity.

With the reduction of its overall budget allocation for 2022-2023, PWD has forecast its inability to meet its payroll requirement within the last quarter of 2022 and again, in the third quarter of 2023. The recent COLA announcement by the Government has further compounded the issue; PWD undertook a necessary evaluation/regarding of multiple posts within the department in 2021-2022, and as a result, several members received an upgrade to their salary, bringing them in line with similar posts throughout the civil service.

Madam Speaker, several critical posts within PWD did not receive funding during the current budget period. As a result, the management of the PWD has relied heavily on the current staff contingent to function in other roles, resulting in additional extra-duty costs

being incurred. The approved vacancy for a Quantity Surveyor was not funded for the budget period 2022-2023, however, PWD recruited for this post with savings realised from the delay in recruiting other funded/vacant posts, as necessary.

Madam Speaker, the Apprenticeship Training Programme stipend funding for 2022 has been exhausted, requiring funding to be taken from other areas with the personnel allocations. Given the challenges previously mentioned, this is not sustainable in the long term.

In addition, Madam Speaker, monies are necessary for the Facilities Management Department to account for more cleaning materials, the planned customer contact centre, and increased electricity costs for the various buildings that the department maintains. Similarly, there are significant costs related to the 'Caymanising' of the security force. This is currently under way, provided that funds are approved to accommodate the directive. The cost to move into this direction is significantly more expensive, as higher pay is required to attract and retain Caymanian personnel.

Finally, Madam Speaker, the Government through the Ministry is proceeding with the National Community Enhancement Project (NiCE) from November 28th to December 16th. As you are aware, the island-wide clean-up exercise provides much-needed volunteer work for out of work Caymanians and their spouses; currently, there are over 480 participants involved in the programme, and monies allocated in this request will provide a stipend for them.

Madam Speaker, pursuant to Section 11(5) of the PMFA (2020 Revision), we are requesting an increase in 2022, for PAH 04 - Management of Public Recreation Facilities and Cemeteries, in the amount of \$800,000; PAH 08 - Management of Special Projects in the amount of \$27,685; PAH 10 - Management of Government Properties in the amount of \$903,596; and PAH 23 - Construction, Trades and Vocational Apprenticeship Programme in the amount of \$350,000.

Madam Speaker, PAH 11 appropriation addresses the needs of the Department of Vehicle and Equipment Services, which has seen significant rising costs of fuel as a result of worldwide issues. The funds allocated for the purchase of spare parts have already been exhausted for 2022; however, DVES identified savings in other areas of their approved budget by foregoing certain purchases and activities. This resulted in an additional \$200,000 being utilised for the purchase of spare parts, mostly for heavy equipment.

For the 2022-2023 budget period, the amount of \$370,000 was allocated for the purchase of spare parts by DVES, however, as of September, 2022, over \$410,036 was spent on spare parts, therefore this allocation has been exhausted, resulting in a liability. In addition, Madam Speaker, the \$600,000 total funds being requested for PAH 11 is for the procurement of fuel. The department's fuel expenditure of \$172,778.28 for

October, 2022 was over the remaining available budget amount of \$99,000.

In light of the foregoing, and pursuant to Section 11(5) of the Public Management Finance Act (2020 Revision), we are requesting an increase in the financial year 2022 PAH 11 - Procurement and Maintenance of Government Fleet appropriation in the amount of \$800,000.

Madam Speaker, a supplementary expenditure is being requested related to the Department of Vehicles and Drivers' Licensing (DVDL) under PAH 16 - Licensing of Drivers and Vehicles, due to the significant increase in vehicle registrations. Prior to the introduction of the Electronic Vehicle Registration (EVR) system, DVDL recorded about 250 transactions per day, however, this has almost tripled. The additional spending can be associated with the cost related to new plates, as well as the personnel adjustment necessary to maintain these services.

Madam Speaker, the appropriation has been exhausted, and the DVDL continues to see an increase in the number of new vehicles added to the register. For example, it has increased from 50,000 at the end of 2021 to nearly 56,000 units. Having said that, DVDL has already surpassed its 2021 revenue for 2022, booking some \$3,447,000 through its online portal. In light of the above mentioned, and pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision), we request an increase of 2022 appropriation for PAH 16 in the amount of \$458,000.

Finally, Madam Speaker, with reference to PAH 24 - Agriculture Support and Regulatory Services, the Department of Agriculture (DoA) advised the Ministry earlier this year, that on the current expenditure trend, the Agricultural and Regulatory Services PAH 24's (AGR 3317 - Agricultural Supplies) allocation for FY 2022 would be exhausted by April of 2022. The appropriation has been exhausted resulting in a liability, as no further cost sales can be posted.

Madam Speaker, realising the Department of Agriculture's financial position, the Ministry submitted a Paper to Cabinet receiving approval to transfer funds from 2023 to 2022, in accordance with Section 9(5) of the PMFA (2020 Revision) to cover the projected shortfall related to the Agriculture Supplies and Regulatory Services, PAH 24 in the amount of \$1,845,601. The Cabinet Paper also noted that the above approval to transfer the entire allocation in the amount of \$1,845,601 would still require the Ministry to return to Cabinet to seek supplementary funding to cover the anticipated shortfall in the remaining months of 2022.

However, Madam Speaker, the Ministry was unable to determine the exact amount of the shortfall at the time, therefore, the DOA continues to monitor their expenditure. They have now advised the Ministry that to meet the projected shortfall in Agricultural Supplies and Regulatory Services, PAH 24, they will require CI\$2 million. This will allow the DoA to continue to supply the sector for the remainder of the year. This output

is critical, as it is used to purchase livestock, feed, pesticide, fertilisers and other agriculture supplies which are sold to farmers and backyard gardeners. The quantity of supplies sold is demand-driven, based on the level of productive activity in the agricultural sector, inclusive of homeowner production.

Madam Speaker, during the 2022/2023 financial year budget preparation process, the DoA and Ministry requested a budget allocation of CI\$4.8 million each for the years 2022 and 2023. Unfortunately, this submission was cut by CI\$3 million in each year, resulting in the final budget allocation of CI\$1,845,601 per year for the budget period of 2022-2023.

Just to paint a picture of the realities in the sector, comparing the period of January to August 2019 to the same period of January to August 2022, in terms of quantity, sale of livestock feed (units of 50lb bags) increased by 21,790 bags or 42 per cent. A comparison of 2021 and 2022 shows a further increase in the period of 5,400 bags of fees or 7 per cent.

In addition to the continuing trend towards increase intensive production, between April and May 2022, the Ministry provided grant support to the Cayman Islands Agriculture Society to import an additional 101 head of cattle in an effort to bolster food security. Given the foregoing, and pursuant to Section 11 (5) of the PMFA (2020 Revision), we request an increase to FY 2022 PAH 24 - Agriculture Support and Regulatory Services in the amount of CI\$2 million. The Ministry is also seeking to:

- Reduce FY 2022 PAH 14 - Management of Planning Applications in the amount of CI\$1,000,250;
- Reduce FY 2022 TP 76 - Assistance for Infrastructure Development in the amount of CI\$1 million;
- Reduce FY 2022 TP 84 - Agricultural Sector Development in the amount of CI\$400,000; and
- Reduce FY 2022 TP 113 - Agricultural Sustainable Production Programme in the amount of CI\$900,000.

Madam Speaker, we are minded to think that all the requests meet the standard of exceptional circumstances. The Ministry made all efforts to delay the need to request supplemental funding by bringing forward appropriated funding into the 2022 budget and fully utilising appropriated funds from both 2022 and 2023 budgets. The Ministry tried to adhere to the Ministry of Finance recommendations when seeking supplementary funding, however, the Ministry and its departments are unable to provide the essential services without the requested funding.

Madam Speaker, we could not reasonably have anticipated the various factors, such as the rising costs of fuel, which have resulted in an even further increase in the cost of supplies either directly, through transportation and shipping costs, or indirectly as in the

case of fertilisers, which are either products of the petrochemical industry, or dependent on raw materials for which Ukraine or Russia are the leading global exporters. The social and economic impact of these requests is critical. As mentioned, in the area of agriculture, for example, items such as livestock feed, fertilisers and pesticides are sold to our farmers; the supplementary funding is needed. The sector could come to a halt if support is not provided.

Madam Speaker, I believe the supplemental funding requests made this afternoon are all important to the Government's broad outcome number 3, which is to provide solutions to improve the well-being of our people so they can achieve their full potential.

I would like to take this opportunity to thank the honourable Members of the House for their continued support. I would also like you, Madam Speaker.

May God continue to bless these Cayman Islands.

Bodden Town Church of God Multipurpose Hall

Hon. Johany S. Ebanks: Madam Speaker, I wish to make a statement as to the circumstances surrounding the Ministry of Planning, Agriculture, Housing and Infrastructure's request for an increase in expenditure in the 2022 budget under Section 11(5) of the Public Management and Finance Law (2020 Revision). The supplementary expenditure is required to complete the Bodden Town Church of God Multipurpose Hall, which will be used as a disaster and hurricane shelter.

Madam Speaker, as you are aware, the property located off Shamrock Road, Lower Valley at Block 38C, Parcels 11 and 12. The project is owned by the Bodden Town Church of God and is intended to serve the church and the wider community. The Government had plans to build a new disaster/hurricane shelter adjacent to the Bodden Town Primary, however, the district's fast growth pace had to be considered.

The decision was made to utilise the facility in question as the most suitable and cost-effective method for acquiring a disaster/hurricane shelter in the area, [and] the church approached the Government to assist in completing the facility; this was considered, and supplemental funding in the amount of CI\$2.4 million was provided in 2014. The construction started shortly thereafter, and continues with the support of a qualified contractor.

The church and Hazard Management Cayman Islands (HMCI) have since approached the Ministry to seek additional funding to complete the facility. The HMCI is in support of the request to have the facility completed, as there is a need for an additional Class A shelter in the Bodden Town area, but advised the Ministry that they have no funds to assist the project. The Health Services Authority also made inquiries about the project as they are desirous of creating an Emergency

Medical Service substation at the facility to aid the emergency response time in the eastern districts.

Madam Speaker, during the construction process, occurrences of unforeseen works, additional works and works necessary to fulfil the completion of the project scope arose. In addition, the dramatic rise in costs due to supply chain challenges have led the church to request additional funding through Public Works Department (PWD). The PWD has been reminded that any additional costs outside of the specified scope and agreed budget, or requests by the church are the responsibility of the Bodden Town Church of God, however, monies requested are for genuine change.

Madam Speaker, my Ministry does not have the funding for the project, therefore, we are requesting Government to make the funding available in order to complete the project by increasing TP 76 - Assistance for Infrastructure Development by \$1.5 million. We recognise that securing a Class A disaster/hurricane shelter for Bodden Town is critical. The Island is below 10 per cent occupancy ratio for required shelters, but the situation has caused the government to utilise a few of the shelters to temporarily accommodate the migrants.

In light of the foregoing, the request for supplemental funding in the amount of CI\$1.5 million pursuant to Section 11(5) of the Public Management and Finance Law (2020 Revision) is as follows:

- CI\$49,358,302 in 2022 (\$4,181,902 via Section 11(5) of the Act and \$45,176,400 via Section 12 of the Act) - an increase in operating expenses by \$41,218,302 and an increase in capital expenditure by \$8,140,000; and
- CI\$12,949,197 in 2023 (\$477,936 via Section 11(5) of the Act and \$12,471,261 via Section 12 of the Act) - an increase in operating expenses by \$7,949,197 and an increase in capital expenditure by \$5,000,000.

I am confident, Madam Speaker, that the construction of the Bodden Town Church of God multipurpose hall to be used for a disaster/hurricane shelter will contribute to the Government broad outcomes to improve the wellbeing of our people so they can achieve their full potential, as well as building a modern infrastructure to ensure a successful future for our Islands.

Department of Vehicle and Equipment Services

Hon. Johany S. Ebanks: Madam Speaker, I wish to make a statement as to the circumstances surrounding the Ministry of Planning, Agriculture, Housing and Infrastructure's request for a reallocation of funds from within the 2022 Budget, as set out under Section 11 (5) of the Public Management and Finance Law (2020 Revision).

Madam Speaker, the supplementary expenditure is being requested for Phase II of the Department

of Vehicle and Equipment Services redevelopment project. Phase I of the project, which is completed, houses of the main administration building for the department. The over 8,700 square feet, two-story building now integrates employees, stores and the fleet services section. The improvements so far have enhanced staff productivity and customer experience, all of which are contributing to the stable, effective and accountable government for which we strive.

Madam Speaker, this redevelopment project, which was started under the previous administration, continues to be a major priority of this Government as we seek to provide a safe, modern and comfortable environment for our hard-working employees as well as customers. Phase II of the redevelopment plan involved the construction of the upgrade of a state-of-the-art, nineteen-service-bay facility capable of servicing and maintaining the various vehicles and equipment owned by Government, which range from light duty to heavy-duty vehicles and equipment.

Upon construction completion, the total floor space will be 34,025 square feet. The expansion will see an increased number of bays and space which will lead to better turnabout repair times, increased working stability for large vehicles and minimised employees' exposure to the elements. In addition, the new facility will ensure that the Government is in a position to support innovation of new technology and the National Energy Policy, as the Department expands its fleet of hybrid and electric vehicles.

Madam Speaker, due to the COVID-19 pandemic, Phase II of the project faced logistical challenges when sourcing materials during the first quarter of 2021. In addition, construction materials were in short supply globally, resulting in the hyper-inflated cost for those materials directly impacting the project. Further, Madam Speaker, during the project's early construction phase there were significant structural change orders which resulted in additional costs and delays in the completion of the project.

To complete Phase II of the redevelopment, it was necessary for the Ministry to request additional funding. The Ministry received an increased appropriation in the amount of CI\$1.7 million from EA-161 - Sub-sea Cable Project to EI - 71 DVES. The increased appropriation will not impact the Ministry's and Government's forecast financial position for the 2022 Financial Year, as the change involves the transfer of funds with the same capital expenditure appropriation category and does not increase overall planned expenditures.

Madam Speaker, it is anticipated that with the receipt of the additional funding, work on the DVES facility will be completed by the end of the fourth quarter of 2022. DVES is a unique facility and department, being the only facility across our Islands that meets every aspect of the Government's vehicle and equipment services' needs. Tremendous benefit will result from their work for many years to come, and we look to the future

with optimism and great anticipation of the department's continued growth and success.

I would like to take this opportunity to thank the Members of the Honourable House for their continued support.

Central Scranton Park

Hon. Johany S. Ebanks: Madam Speaker, moving on to Parks, I wish to make a statement as to the circumstances surrounding the Minister of Planning, Agriculture, Housing & Infrastructure's request for a reallocation of funds from within the 2022 Budget, as set out under Section 11(5) of the Public Management and Finance Law (2020 Revision).

Madam Speaker, the supplementary expenditure is being requested for expenditures related to Central Scranton Park, one of the parks that was earmarked for works to be undertaken with some of these funds. As the Ministry of Planning, Agriculture, Housing and Infrastructure has agreed to hand over the project to the Ministry of Tourism and Transport so that they can continue with the development, it is more efficient to reallocate the funds to that Ministry—it will ensure greater accountability and responsibility.

Madam Speaker, there is no change in scope or projected costs. Given that this is a direct transfer of funds with no deviation in Government's overall budget, it was held that a Section 11(15) is the adequate mechanism.

In addition, Madam Speaker, there are several surrounding parcels adjacent to the existing Scranton Park which the Government is utilising in order to facilitate more green space in the area; purchasing the surrounding parcel Block 14 CJ, Parcel 19 will enhance the area with green space and expand the community park, so the Government is desirous of utilising some of these funds to facilitate its purchase.

Given that the changes only involved the transfer of funds within the same capital expenditure category and do not increase the overall planned expenditure, the Ministry of Finance and Economic Development advised that the appropriation's change will not impact the Government's forecast financial performance for the 2022 financial year.

Therefore, Madam Speaker, pursuant to Section 11(5) of the PMFL, the Ministry reduced its appropriation of EA 153 - Upgrade of National Parks by CI\$400,000 and transferred CI\$100,000 to the Ministry of Tourism and Transport's EA 164 - Central Scranton Park, and CI\$300,000 to the Ministry of District Administration and Lands EA 4 - Land Purchases.

I am confident, Madam Speaker, that the continued development of Scranton Park and the acquisition of the surrounding areas will contribute to the Government's broad outcomes to improve the wellbeing of our people so they can achieve their full potential, as well as building a modern infrastructure to ensure a successful future of our Islands.

I would like to take this opportunity to thank the Honourable Members of the House for their continuous support.

National Roads Authority clean-up

Hon. Johany S. Ebanks: Madam Speaker, I wish to make a statement as to the circumstances surrounding the Ministry of Planning, Agriculture, Housing and Infrastructure's request for increased reallocation pursuant to Section 11(5) of the Public Management and Finance Act (2020 Revision), to cover projected shortfall related to the Ministry's National Roads Authority (NRA) for the 2022/2023 Financial year.

Madam Speaker, the supplementary expenditure was requested to allow the Ministry to pay the National Roads Authority for clean-up after a natural disaster, in this case, Hurricane Ian. After the storm, there were a number of areas that saw quite a bit of debris on the streets and other areas, particularly George Town's waterfront; the NRA responded immediately to bring the areas back to normal function. While the NRA had some funds to cover this cost, it is outstanding and should be reimbursed.

Madam Speaker, pursuant to Section 11(5) Public Management and Finance Law (2020 Revision), Ministry requested the transfer of CI\$150,000 from the FY2022 PAH 1 - Advice and Support to the Minister of Planning, Lands, Agriculture, Housing and Infrastructure, to the FY2022 (New) TP120 - Clean-up relating to Natural Disasters. This would be similar to the previous TP106 – Clean-up for Tropical Storm Grace, however, we recommend it is defined more generally so as to be used in the event of other natural disasters going forward.

There were also a number of projects such as district roads, drains and guard rails that required repair and/or installation. The FY2023 budget for this appropriation was previously reduced (being transferred to FY2022); therefore, we required an increase in funds for FY2022 and FY2023. Some roads that will utilise these funds in FY2022 are Lake Destiny Drive, Tropical Gardens, and Woodland Drive, to name a few.

In light of the foregoing, Madam Speaker, and pursuant to Section 11(5) of the Public Management and Finance Law (2020 Revision), a request was made to transfer CI\$700,000 from the FY2022 EA 148 - Major Road Works, to the FY2022 EA 36 - Miscellaneous Road Surface Upgrades. Madam Speaker, the Ministry made all efforts to delay the need to request supplementary funding by either bringing forward appropriated funds from the 2023 budget into the 2022 budget, or fully utilising appropriated funds from both the 2022 and 2023 budgets.

Madam Speaker, as the NRA is unable to provide these essential services without this requested funding, we thank you your consideration.

Thank you, Madam Speaker.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING A MATTER OF PRIVILEGES

The Speaker: None.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 6 of 2022-2023 Allowing on Allowing Equity Release Mortgages

The Speaker: The Honourable Deputy Speaker.

Hon. Dwayne S. Seymour, Elected Member for Bodden Town East, Deputy Speaker: Thank you, Madam Speaker. I beg your indulgence.

[Pause]

Hon. Dwayne S. Seymour, Deputy Speaker: Thank you, Madam Speaker; it's quite an exhausting day.

Madam Speaker, I want to thank Parliamentary Secretary [PS] Rankine, Elected Member for East End for agreeing to second this Private Member's Motion No. 6 of 2022-2023— Motion on Allowing Equity Release Mortgages.

WHEREAS there is an increasing number of Caymanians reaching a mature age where they wish to retire with dignity;

AND WHEREAS many of these persons have not accrued sufficient pension funds to support and maintain themselves after retirement;

AND WHEREAS many of these persons will struggle to afford and maintain a respectable and decent lifestyle throughout their golden years;

AND WHEREAS these persons own their own homes and/or properties and these properties have considerable equity;

AND WHEREAS these properties can be leveraged to gain access to funding for these retirees to support and assist with expenses during their years of retirement;

BE IT THEREFORE RESOLVED THAT the Government considers introducing equity release mortgages, and reviews and amends any relevant legislation to find a way in effectively using home equity.

I so move.

The Speaker: Is there a seconder?

Mr. Isaac D. Rankine, Parliamentary Secretary to Home Affairs and Planning and Agriculture & Infrastructure, Elected Member for East End: Madam Speaker, I rise to second Private Member's Motion No. 6 of 2022-2023: Motion on Allowing Equity Release Mortgages.

The Speaker: The motion has been moved and seconded, and is now open for debate.

Does the mover of the Motion wish to speak thereto?

Hon. Dwayne S. Seymour, Deputy Speaker: Thank you, Madam Speaker. I do wish to speak on this Motion.

I thank you, Member for East End, for seconding this Motion; I also thank the Deputy Premier for his supporting vision on this Motion, Madam Speaker.

Some people may ask, what is an equity release mortgage or, in other words, a reverse mortgage. Madam Speaker, 'equity' is used in the UK and 'reversed' is used in the US. I must admit there are different options with regards to lifetime mortgage products which will suit people with differing needs. An equity release mortgage is a means of releasing the equity in your home without having to move if you're over a certain age, or at least at retirement age—in the UK it's over 55 years, and in the US it's over 62.

Madam Speaker, equity release is a general term, but by far the most popular product is a lifetime mortgage. This is a loan that is secured against your home to give you a cash lump sum to spend as you please. In addition, further loans may be taken, as and when you need them, with a feature called 'drawdown'.

Madam Speaker, many people will use the funds released to make home improvements, assist family members, repay outstanding debts, or even take a holiday or purchase a car. If you are retired and a homeowner, then you may be eligible even if you currently have a mortgage secured against your property.

Madam Speaker, as designed in some countries, there are no monthly payments to make; instead, interest is added to the amount that you owe each month. The loan amount and accrued interest is typically paid back on your passing or when you move into long-term care; however, there are some products that allow you to make voluntary, monthly interest payments if you wish.

Madam Speaker, a reverse mortgage is a form of equity release loan that allows you to unlock a percentage of the money tied up within the value of your property. Rather than make regular payments, any interest is rolled-up on top of the amount borrowed, with your property essentially acting as security for the loan.

Madam Speaker, what this Motion is essentially trying to do—and this is by no means the only option out there; let's be clear, this would be *an* option, but

one that will make our elderly who need to do so, have the option.

Madam Speaker, as the Motion reminded us, many of these persons will not have accrued enough pension to support and maintain themselves after they retire and some people, *God forbid*, will struggle to afford and maintain a respectable and decent lifestyle throughout their golden years.

Madam Speaker, most of all, they can live their final years after retirement with dignity, instead of '*NAU-ing it*'—

[Laughter]

Hon. Dwayne S. Seymour, Deputy Speaker: That's a new one— or borrowing money from a close friend or family member as many have resorted to.

Madam Speaker, an equity release programme may not be suitable for everyone, which is why it is important to seek advice from a qualified advisor who will take them through everything they need to know about releasing money from their portfolio. This is something new to the Cayman Islands and one knows that many questions will be asked.

Madam Speaker, you can take out a reverse mortgage on either a sole or a joint-ownership basis. Joint ownership would typically be married couples and are arranged on a last-death basis, where the funds borrowed do not need to be repaid until the surviving spouse dies.

Madam Speaker, for conventional mortgages, the maximum you can borrow is governed by each lender's affordability criteria; with a reverse mortgage, the maximum amount you can borrow will depend on your age, health, and the value of your property. With the schemes in the UK, US and Australia, the older you are, the more you are able to borrow. An applicant who is 78 years old, will be able to borrow more than a 59-year-old. It is a unique financial tool unlike any other, in that it offers borrowers the ability to access their home equity without the burden of monthly mortgage payments.

An equity release plan is not the only option if you wish to free up some cash in retirement. Downsizing the property could be a preferred alternative to releasing equity from the home, but since 1998 when the mandatory pension plan came into effect, most persons who were 50 years and over were already too mature to have enough time in a plan to sustain them until their passing.

In fact, Madam Speaker, it is said that you should start your pension contribution as soon as you can and when you are young. Making early pension contributions lets you make full use of compound interest— this means that even small savings early on can be more important than larger savings later. The later you start, it becomes trickier to build up a pot to sustain you in retirement.

Madam Speaker, Bodden Town East elected me to find creative ways to help ease the pain of my people all around this country. There is no love short here; with the love I have for my people, I feel I am very necessary.

[Laughter and Inaudible interjection]

Hon. Dwayne S. Seymour, Deputy Speaker: I say to my people, *don't let your votes be silent, vote for people who care for you*. I see some people already popping up for the next election— they have much to say, but are little to no help to anyone but themselves. *Beware of the opportunists*.

Madam Speaker, I know persons who are retired who can benefit from this. I know persons who are working past their retirement age not because they love working, and some of them do, but because they can't afford to quit, Madam Speaker. Just the plain facts. I know a lady who will remain nameless, who is battling right now to save her home. She is over 70 years old and still out working; it is only her living in the house, a house she built from hard work. She can benefit from this if she so chooses.

Madam Speaker, this is only one element of what this Government is working on. The Deputy Premier is working on other initiatives along with the Premier. We ought to be proud of something like this and pass it unanimously, so our people will see us working for them. I am proud to be the face of the faceless and the voice of the voiceless, and every face tells a story, Madam Speaker.

Most lenders will offer a loan to the value of 55 per cent, and the maximum would be determined by your age, health, and home value, as said. Reverse mortgages can attribute their definition by the way they allow interest to *roll on top* of the original capital borrowed, and for the total amount to be repaid at an undefined point in the future, as opposed to conventional mortgages where regular payments reduce the outstanding balance over a predetermined period.

Madam Speaker, upon death, *God forbid*, of the borrower and eligible non-borrowing spouse, the loan becomes due and payable. Your heirs will have 30 days from receiving the "*due notice*" from the lender to buy the home, sell it, or turn it over to the lender to satisfy the debt.

[Inaudible interjection]

Hon. Dwayne S. Seymour, Deputy Speaker: Madam Speaker, I mentioned 30 days but this is [only] what other countries are doing. We can satisfy ourselves with other amounts of time as we so choose, Madam Speaker. Let's face it, with their age sooner or later the future becomes more uncertain and it can take a toll on their physical and mental health.

We can help them live out the rest of their lives feeling happy, at peace, feeling loved and cared for. It

is simply the right thing to do as a human being. It's just right that you care for your elders, Madam Speaker; you show your own humanity and simply do what is right. A part of properly caring for your elderly and loved ones is providing them with a sense of purpose, a sense of community and social life that empowers them and energises them so they will always look forward to the days ahead, instead of being filled with dread and uncertainty.

Madam Speaker, in closing, I quote the words of Theodore Roosevelt, told by my good friend from Bodden Town West: "**No one cares what you know until they know that you care**". Caring shows in how we take care of our most vulnerable— our children, our seniors and those with special needs.

I have given information as to what an equity release or reverse mortgage is. I ask the honourable House to consider what I have presented, and support this Motion so we can give our seniors hope through another option; show the elderly that we care about them and we are willing to do things to ensure that they live their golden years in comfort.

Madam Speaker, I thank you and God bless the Cayman Islands.

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

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

Madam Speaker, I rise to make a contribution to the debate on Private Member's Motion No. 6 before us, on Equity release mortgages.

Madam Speaker, the mover of the Motion did a great and very credible job of explaining what a reverse mortgage or equity release mortgage is and how it can be used; and truly extolled the virtues of these types of loan products that are available, though not available in Cayman at this time, which is what the Motion appears to be asking the Government to do. However, Madam Speaker, as I read the Motion and considered it from the very outset I asked myself and tried to rationalise, *why is this Motion before us?*

I say that, Madam Speaker, because I know it was back in February that the Deputy Premier and Minister of Finance laid this out publicly as a policy of the Government. It's been ten months since, but we have not heard anything further from the Government with regard to what they were contemplating. It's difficult, knowing that this is a policy of the Government and here we are again, with a Member of the Government asking the Government to consider doing this again. I see a bit of a conflict and uncertainty here, and I'm hoping someone will explain to us on this side why it is even here at this point.

Madam Speaker, with your permission, just for the sake of completeness, I would lay the article in the Cayman Compass of 3rd February, 2022, which spoke

to the announcement by the Deputy Premier on the introduction of these reverse mortgages.

Madam Speaker, I said at the very outset that I commend the mover for pointing out and extolling the virtues of reverse mortgage, but for every point that he made, there is a contrary situation or risk involved with these types of products. They are not a panacea for everybody in their older age needing access to funds. In fact, in almost every country where they are offered they are described as very complex instruments and one that people don't generally understand. It's easy to understand when talking about a regular mortgage, but when you're talking about a reverse mortgage or equity release mortgage, they are far more complex.

Madam Speaker, in the countries that offer them you cannot even *apply* for one of these mortgages unless you have had financial counselling where the risks are explained to you and can demonstrate that you have undertaken such financial counselling before you can apply, so that you enter into these types of transactions with full knowledge and understanding, because they are riskier.

They also tend to be more expensive than any other type of loan. Madam Speaker, the primary reason for people undertaking these types of mortgages is to smooth their income or their spending because what happens at the point of your retirement is that you're going from what generally would be your peak earnings down to a fraction of it. So, it is designed to release the value in your home and allow you to smooth your spending throughout the rest of your life— but even then, there are huge risks with that.

Madam Speaker, I also mentioned that the interest rates on these types of mortgages are variable much like any type of mortgage that we have here in Cayman, so there is a real risk that borrowers can live long enough that the roll-up of interest on what they have borrowed could hit the ceiling and they therefore have no ability to borrow further unless they find some way to repay what they have, which could provide challenges later on in life and during that critical time period. In fact, the default rates from 2014 to 2018 in the US went from 2 per cent to something like 18 per cent because of things like this. There are real dangers.

Typical terms of mortgages require the homeowner to maintain their home. You cannot just say, *oh, the bank or the lender will get it, it's their problem* — it isn't; you have to maintain that home in a respectable condition, otherwise it can be an event of default and lead to foreclosure proceedings, with the lender seeking to recover their money. There are often ongoing and hidden costs with these things that make it that much more expensive in order to operate. If you take out the lump sum early, it increases the payable interest. Many people do not understand the concept of compounding interest that consumes us and borrowers can underestimate how quickly their home equity can simply deteriorate.

The other risk you face, Madam Speaker, are changes in the value of the real estate market. If home prices decline or do not grow as expected or interest rates rise, the value of a home can be eaten up quickly by the repayments that they fund. If the property owner passes away, borrowers or their estate are often not able to pay off the loan balance other than through selling the secured property.

Madam Speaker, we cannot lose sight of the fact that the overriding consideration for a person who has lent, is that there is an obligation first and foremost, that the loan must be repaid. If you enter into a situation where the borrowers are not able to pay off the loan, this will force anyone else who lives in the home such as family members to move out, unless there are tenancy provisions allowing them to remain in the home for a period of time. The Member mentioned the 30-day period, which is typically seen in other countries.

Because of the risks and the uniqueness of these types of products, Madam Speaker, the US is the only country that I know of where they are actually offered and administered by commercial banks. I know that in Canada, there are just two non-bank institutions that offer them. That is an issue that we would have to face and decide— how they are going to be offered in the country, and who would offer them.

Australia and the US have taken steps to establish a “no negative equity guarantee” to eliminate the risk to consumers of repaying more than the value of their secured property at the end of the loan. In other words, Madam Speaker, some countries have put laws in place so that if the interest rates or the value of your property decreases, and you hit that maximum limit where the loan is equal to the estimated value of the property, the law would require that it is the lender who would have to eat the loss rather than the borrower— which is good for the borrower.

As I also mentioned, Madam Speaker, the default rates on these types of loans are far higher than they are for normal mortgage loans, mainly because the borrowers fail to comply with loan terms and conditions such as the occupancy requirements, staying current on the property taxes or hazard insurance; because homeowners are still required to insure it, even though, ultimately, it would possibly be the lender who would take over the home once the person passed away.

The suitability of a reverse mortgage depends entirely Madam Speaker, on the personal circumstances of the borrower and the cost of the loan. As I said at the very outset, they are not for everybody and it should never be viewed as a panacea. At this point in the debate I have not heard, maybe we will, as to what a scheme could look like here in Cayman.

It would also be useful to hear how many elderly property owners are reliant on government's social services payments that could be avoided if they were allowed to take out a reverse mortgage. We don't

know what effect it could have on Needs Assessment Unit [NAU] if we had such a programme in place.

Regardless of what product is offered and whether it's offered by government or the financial sector, it will have to be very well regulated and very well managed if it is to have any chance of succeeding. The experience in other countries has shown that there is some commercial reluctance among banks to offer home equity release products and some are actually prohibited. If Government is mindful to proceed with the Motion and accept it, I think it is important that the Government seeks out the best advice that they can find because it requires specialised knowledge; whether it is to devise the legislation or to provide a regulatory framework around it, it is absolutely necessary.

As I mentioned several times in this debate thus far, they are complex instruments, they carry higher risks than you would normally find in any borrower-lender relationship; not just for the borrower, but for the lender also. It covers both sides. There are many pitfalls, some of which I have described here; and I admit that I have not covered everyone, but I've sought to highlight what I see are the major risks that would come to any Government.

My preference, and my recommendation to both the Government and the mover, would be for the Government to develop the bespoke regulation and legislation rather than necessarily amend the Banks and Trust Companies Act, because my personal view is that there will be some reluctance from commercial banks to offer the product. I think it is significant enough that the bespoke legislation would be needed—because these instruments don't have to be offered by commercial banks only; there may be insurance companies and other entities that have an interest in doing so as a way of investing their resources.

Madam Speaker, I have sought to present the other side of the reverse mortgages story to provide balance, so that we all understand clearly what the risks are. Certainly, there are valid reasons for having them, but from my perspective I would urge caution in all of these things. We have to think it through clearly and ensure that we can devise something that would be, obviously, unique to Cayman, and that would take care of the nuances and the challenges faced in Cayman.

It is never easy to evict an elderly person from their home. I don't know anyone in this room this evening that would like or enjoy having to make that kind of decision, to evict people from their homes. The last thing we want to do, despite the need for this type of product, is to introduce something that people don't understand and rush into, not fully appreciating what they are signing up for.

Having said that Madam Speaker, I think I am prepared to say from the Opposition side that we support it— but with much caution. Let's make sure, with Government accepting the Motion and already indicating that it's part of their policy, that we take the time to get it right and ensure that we do something that we

can all, ultimately, look back on and say, *we have done well for Cayman*.

With that, Madam Speaker, I conclude by saying I know maybe I've been sort of negative on it, but I think it's important; you have to get both sides of the story; you gotta know the good and the bad, and that's what I have attempted. When I spoke with the mover, I think it was yesterday, I asked him why he is bringing it, and I knew and understood clearly then, that he would be speaking and extolling the virtues of reverse mortgages and I felt, from the Opposition standpoint, that we needed to have that balance.

I am happy I had the opportunity to do so, Madam Speaker, and I thank you very much.

The Speaker: The Elected Member for East End.

Mr. Isaac D. Rankine: Thank you, Madam Speaker. My voice is not as booming as the Member for Bodden Town East's, but I realise he has a height advantage on me.

[Inaudible interjection]

Mr. Isaac D. Rankine: Madam Speaker, I rose a short while ago to second Private Member's Motion No. 6 of 2022-2023: Motion on Allowing Equity Release Mortgages which was moved by my friend, the Member for Bodden Town East. The Member in his presentation went through the "whereas" that gave the rationale on why this Motion is being brought to the House today. It is my hope to use my short contribution to further detail what we envision.

Madam Speaker, in the Government's Strategic Policy document [2022-2024 Strategic Policy Statement], specifically Broad Outcome 3, the Government's aim is "**providing solutions to improve the well-being of our people**". Under 4: **Provide adequate and affordable housing in our communities**", (a) "**Government-guaranteed home-assisted mortgages**". In seconding this Motion, it is my intention that the Government can make strides in fulfilling this broad outcome in a way by allowing for equity release mortgages that will improve the well-being of our people, especially our seniors.

Madam Speaker, the resolve of the Motion asks the Government to consider the introduction of equity release mortgages, and to review and amend any relevant legislation to find a way in effectively using home equity.

As my colleague and the Leader of Opposition noted, this has been done in other countries so precedents exist which the Government can use as a model for what a local equity release mortgage would look like. Countries such as the UK, USA, Hong Kong, Malta, France, Spain and Portugal all have some variation of equity release mortgages that are available to their senior citizens.

Madam Speaker, let me be clear about my support for this Motion. It should only be available as an option to those who need it; are qualified for such an arrangement under relevant legislation; and managed, in my opinion, by a Government-owned banking institution. To this end, I am happy to say I have spoken to the Deputy Premier and the Minister of Finance and I look forward to working with him to make this a suitable option for our people. While the terms of the qualification and the way this could be executed will be determined by the Government later, I wish to briefly expound on how I envision such a programme could be of benefit to our communities.

Madam Speaker, during the Older Persons' Month Celebration at the Lion's Centre, I was delighted to speak on behalf of the Honourable Minister responsible for Investment, Innovation and Social Development. At that event, I noted that the recent census data by the Government's Economic and Statistics Office showed that currently, the Cayman Islands is home to 4,700 Caymanians who are older than 65 years of age— of that number, 23 are from the District of East End. The census also noted that over the coming 10 years, it is expected that 5,000 additional Caymanians will reach that age, which means many of us in here are going to be in that number.

Thankfully, these statistics demonstrate the fact that we are living longer and healthier lives; but with many of our ageing population indeed living longer, some find themselves in awkward positions where they are struggling to make ends meet. The rise in the cost of fuel and imported inflation, as well as the trickle-down effect it has on the daily lives of our people, make it imperative that the Government implements solutions that can help people in different stages of life.

Madam Speaker, while I am very conscious not to break our Standing Orders, specifically 41(1) which speaks about repeating points made on the Floor, I think that it's worth mentioning equity release mortgages again, for the benefit of our constituents and the listening public who are not familiar with it.

Simply put, an equity release mortgage is a way of releasing some of the value of your home without having to worry about monthly payments, where the funds can be used to assist in living a life of dignity as my good friend, the Deputy Premier speaks about; having an equity release mortgage could allow you to stay in your home through your sunset years.

Madam Speaker, for example, an elderly person within the community who owns their own home, or owns most of their home receiving their pension but the fact is, the amount they receive from the pension is not enough to live on. Due to their age they would not qualify for standard financial assistance arrangements from most lending institutions, however, by the Government allowing for equity release mortgages, there could be more options available to them than at present.

Madam Speaker, there could be many reasons why some of our ageing population might be interested

in releasing equity from their existing home. Some of them are:

- (a) If they would like to supplement their pension. As I explained in my example, with the pension that many of them are receiving, they really need additional resources. An equity release mortgage would provide a way to access more funds for a better standard of living, whether for medical or other expenses.
- (b) Persons who do not have any beneficiaries but want to live a more comfortable life as they get older. An equity release mortgage can help these people access more funds.
- (c) Making home improvements where they can get additional income. We, in this honourable House would be aware of the persons in our communities who rely on the income of renting an additional room or part of their house to supplement their income.
- (d) Persons may want to give their beneficiary a deposit to purchase a home or other property.
- (e) Paying for residential care fees.

Madam Speaker, these are but a few reasons and I am sure others will come up during the debate on this Motion.

The aim, Madam Speaker, is not to create a system where seniors and families are losing their family homes, but to open means of financial security to our older residents in their golden years.

To make sure this is not misunderstood or mis-cued, Madam Speaker, it is my hope that by being managed by a government banking institution, it would limit this function from being misused and ensure that Government can have a direct way of ensuring that the equity release mortgage programme is fit for the intended use. As the Leader of the Opposition noted, of course there would be some risks, but I would also like to hear other Members' thoughts on how such legislation and regulation can be strengthened to ensure our people benefit.

Madam Speaker, in countries that already have an equity release mortgage programme, a few of which I mentioned earlier, there are generally two types: the lifetime mortgage and the home reversion plan. For the lifetime mortgage, once the person qualifies under a set process, would be able to take out a mortgage on some of the value of their house. The interest on the mortgage would be compounded and they would not have to make any monthly payments; or they could choose to make interest-only payments if they wish. Under this type of equity release, the value of the mortgage, plus the interests, would be payable upon death or if the person was moved to a residential long-term facility.

Madam Speaker, the second type of equity release is the home reversion plan. This is where you would sell all or part of your house to the lender or the provider who would then pay a lump sum or monthly payments, taking into consideration the life expectancy as one of the criteria. This would allow the person to continue to live in their home as if they owned it, rent free, for the rest of their life.

Madam Speaker, the ways I have mentioned are not the only ways it can work, but rather, the most common versions of equity release programmes. If the Government accepts this Private Member's Motion, I know that there would be risks such as the Leader of the Opposition spoke about, however as legislators, we must do all that is necessary to minimise those risks so people can live comfortably.

Madam Speaker, I am also wary not to propose this as a '*silver bullet*' option or panacea, as the Leader of the Opposition spoke about a number of times.

[Inaudible interjection]

Mr. Isaac D. Rankine: This mortgage option may not be suitable for some, but I think that most, if not every Member of this House, wants to find ways to help our seniors, and equity release mortgages can be one of the ways that this can be achieved.

Madam Speaker, for the removal of all doubt, it is also my position that it should be required that persons have to be apprised of the risks and any other implications before they agree. I further agree with measures in some jurisdictions where equity release is allowed, that mandatory legal advice be sought by all owners of the property that would be subject to the equity release.

In some jurisdictions, each owner must get legal advice separate and apart from the legal advisor that would handle the equity release on behalf of the provider. This would serve to ensure that what is envisioned is not intentionally disruptive, and that each party to the agreement understands what is expected.

Madam Speaker, as I draw to the close of my contribution, I look forward to discussions at different times and stages from those in this honourable House and in my community, as well as others who can ensure that such an offering of equity release mortgages is the safest, most efficient and effective way for our people. I also look forward to remaining contributions to the debate on this Motion by other Members, to see how best we can effect change for seniors in our community. God bless this honourable Parliament and God bless the Cayman Islands.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

The Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Thank you, Madam Speaker.

Madam Speaker, the bible teaches us, *woe to the shepherds who feed themselves and not the flock. Should the shepherds not feed the flock?*

Madam Speaker, listening to my good friend, the Member for Bodden Town East, he ended his contribution with a quote that myself and others always use— I can't say I am the originator of it; I found it someplace and I keep repeating it because I like it: *People don't care how much you know until they know how much you care.*

Madam Speaker, as I was looking back through the Motion, one of the "whereas" jumped out at me which says, "**And whereas many of these persons have not accrued sufficient pension funds to support and maintain themselves after retirement**". Madam Speaker, that's it right there. For starters, we need to recognise that we have an inadequate pension system. Much work is being done with regard to pension and, especially now because of the COVID pandemic, it is even more challenging.

Madam Speaker, to put it in context, under the current pension regime, the private sector contribution rate is 10 per cent up to a certain amount. It means, at a contribution rate of 10 per cent, it takes 10 years to save one year's salary. If they work from 16 to 65 years old, it's about 50 years or five years' worth of salary a person would have saved during their lifetime. If all goes well and your investment produces something, that five years' worth of salary could probably have doubled during the period of time, whereas you'll have 10 years' worth of salary when you retire.

Madam Speaker, in this country the mortality rate is 85 for women, and around 79 for men and some banks don't want to touch people past the age of 65. If we have people retiring at 65, it means that half of our population— which are actually women, as per the last census— is living 20 years past the age of retirement. Twenty years, however their pension has only given them 10 years' worth of salary; again assuming that what they saved in 50 years of working has doubled. I am sure everyone here has seen their private sector pension double during the time they have contributed, so I guess at the rate we are going, we can rely on pensions doubling. That is, assuming that your pension has doubled.

Madam Speaker, we need to find ways to take care of our people; and yes, as the Leader of Opposition pointed out, as with any financial product, there comes risks. There are people in this country who put money in bank accounts which they thought was safe and the bank went under, Madam Speaker, so even that came with a certain amount of risk.

Madam Speaker, business or management has never been about avoiding risk, it has always been about managing risk. The word 'entrepreneur' comes from the French word meaning 'risktaker'; there is always some element of risk. When we pass legislation,

Madam Speaker, there are things we refer to as legislative risk, political risk, liquidity risk, credit risk and market risk; there is always risk, but that does not mean we stop. There is risk in crossing the road, that doesn't mean we don't cross the road; there is risk in driving the car, that doesn't mean we stop driving. It means we manage risk, Madam Speaker. We put in speed limits, stop signs, street lights and different things to manage those risks and such is what this product will require: managing risk.

We also need to recognise, Madam Speaker, that during the COVID-19 pandemic some people withdrew up to \$10,000 and were eligible up to 25 per cent additional of their remaining pension—some of them didn't need it either, I will say that much. We already had underfunded pension pre-COVID, then we added the pension withdrawal during COVID and then we had the pension holiday, Madam Speaker.

As a result, we already have people in this country who will reach retirement age and whose pension more than likely is going to be insufficient. The question is, what do we do with those people? Do we sit by and allow them to become wards of the state; do we insist that we enforce the Maintenance Law where their families have to take care of them before they turn to the Government for assistance; or do we create avenues to allow them to retire in dignity, as my good friend for Bodden Town East said.

Madam Speaker, the first time this issue popped up on my radar I was in Opposition. I had a constituent who had a property worth over \$700,000 free and clear, and two children who did absolutely nothing for that man, nothing. When I would visit him, sometimes he would swear blind that when he passes, he's either going to leave his house to his helper or his nurse, depending on which mood he was in. There were days when the man didn't even have electricity in his house and there were days we had to pick up the phone and call NAU and beg them to assist this man. A property of \$700,000 and can't even have his lights on, Madam Speaker.

Madam Speaker, in other countries there are safeguards built into this. Something that we need to do, just as the Motion has asked of the Government, is to *consider* what can we do to help our people? Not everyone wants to be a ward of the state.

Madam Speaker, I have found unique ways to assist people without them asking. You literally have to get creative sometimes to help people, because there are people in this country who just don't want any assistance from the Government in any shape or form because it makes them feel a certain way—as if they have failed or become inadequate. We then need to ensure that those people have the products. As we said, this is not a silver bullet; it is just another option our people could have, if needed.

Our job as legislators is to find ways to make people's lives better, Madam Speaker. We can find every single reason under the sun not to do something,

but our job is not just to highlight the problems; because something about elections, Madam Speaker: When everybody is running and you read their manifesto, they have a solution for every problem that this country faces. It's when you get in that you realise you have what social planners refer to as a 'wicked problem'—where you think you fixed one problem and you create another problem.

Madam Speaker, we are a young Island but we are a blessed Island. Make no mistake about it, Madam Speaker, there is a God and believe you me, He loves Cayman. My grandmother has always told me that Cayman has enough blessings because our fore-parents left enough blessings on these Islands that despite the bad decisions that we make, the Cayman Islands always find a way to pull through. Sometimes not as a result of decisions we take inside here but *despite* the decisions that we take inside here, the Cayman Islands has always found a way to prosper.

Madam Speaker, when I think about this Motion and I think about our own ageing population, we also have to accept as the current group of legislators—also for past legislators—that there are many things that we could have and should have done which we never did. One of the things that we have never done in this country that we should have done was the creation of our capital markets.

Madam Speaker, you take something like housing which is a basic human right... We in essence have literally left that off to the bank's alone to determine who gets loans, et cetera; and look at where we are today with the model that we have. We have now reached a point in our own country where many of our own people can't even get something as basic as housing.

Just yesterday, Madam Speaker, the Minister for Planning and I attended, by invitation, the Board of Directors meeting for the Cayman Islands Development Bank and one of the discussions that we had with the bank was looking at the products just for our seniors.

Madam Speaker, I spoke about it before, it was a call 14 minutes and 25 seconds that I will never forget one Wednesday morning, when one of my constituents called me. Interest rates were raised on her and with inflation and everything else [happening] when she went to the bank—just three years away from clearing her mortgage—for her to maintain the same rate or similar that she can afford, she would have to work an additional three years past the age of which she planned to retire. It almost felt like a death sentence.

I can tell you, Madam Speaker, as an elected representative, even worse as a Minister of Cabinet and the Minister of Finance, to listen to a woman sit there for 14 minutes 25 seconds literally crying, it moved me. At that point, I sat and I said, you know what Chris, while we have been—to use the term of the Member for Savannah—*pussyfooting* around in this

House looking at certain things, people out there are struggling.

I went to the Board and I said, we are going to pay you your capital injection for next year earlier than we normally would throughout the year. From that, we would like for you to set aside maybe \$2 million just for people above the age of 60; people with a low loan-to-value [ratio] of maybe 20-25 percent—like my friend there who has a \$58,000 balance left on a property worth over \$700,000, so she doesn't have to work that additional three years; and say, let us give that group of people an interest rate that is not only competitive but affordable.

Madam Speaker, I really and truly want to thank my colleagues on the Boards that we have assembled, and in particular, the Cayman Islands Development Bank's (CIDB) Board. I am not going to sit back and tell you every member on that Board is mine; everyone on this side contributed to the membership of these boards and when I look at the membership and see the balance of the Board that we have, the one thing we found that allowed me and the Minister to leave that meeting feeling a bit optimistic was that they actually care.

I look at the Chairman, Mr. Mark Scotland, who was a former Member of this honourable House, Ms. Lucille Seymour who is a former Member of this House and is also on the Older Persons' Council; people who understand, who get that we need to do something to help our people. Is \$2 million a lot of money? Absolutely not, but it may help 10, 15, 20 families sleep better at night.

Madam Speaker, when you consider the World Health Organisation's definition of health since 1947, **"health is a state of complete physical, mental and social well-being and not merely the absence of diseases or infirmity"**, it is that mental and social well-being, the ability for someone to wake up in the morning and go to bed at night knowing that tomorrow may be better, there's hope; and this has always been the one thing that our people ask of us— they know, Madam Speaker, that we have limits.

As I have said, there are countries out there bigger and more powerful than us, who can go into a back room, print money, spend all the money they want and they still have more problems than us. All our people are asking for is hope, one little thing, and for us to understand and at least be aware of the challenges that they have.

Madam Speaker, let me tell you, there are some structural things that we need to do, but Cayman has always been a place where we moved cautiously, we don't do *knee jerk* things. Yes, I am glad that the Member for Bodden Town East brought this Motion because it is something the Government is still working on, but like with many other things, there are certain things we need to put in place. Right now, the Cayman Islands Development Bank is working with the

Caribbean Development Bank to restructure themselves as a proper development bank.

As I said to them yesterday, you are moving too much into the commercial realm and you are forgetting that you are a development bank. In 2021 Madam Speaker, \$900,000 lent; this year, under this Government, \$15 million lent.

[Desk thumping]

Hon. Christopher S. Saunders, Deputy Premier:

That is a big difference. On top of that, rates were up to 3.75 per cent fixed when interest rates were rising. This is what it's about, it's about helping our people.

Madam Speaker, I can tell you there are corporate entities in Cayman that have said to us, *we are willing to put a deposit into the Cayman Islands Development Bank but some restructuring is needed among other things*, thus the reason we are working to find that.

One of the biggest things that drive banking cost which people need to understand, is there are times in the United States when the Federal Reserve (Fed) is raising interest rates, mortgage rates are going down. In the United States, the mortgages are not tied to the Fed rate, Madam Speaker. They are tied to the bond market and sometimes the market goes in different directions, and that has been the difference.

Madam Speaker, what we have in Cayman right now is banks taking money that is literally overnight deposits—because no one has gone to a bank and said, *here, put this money and deposit it for me for 20-30 years*, no one has done that; the most they may have is a one year or five year fixed. What the bank does is take your overnight money, lump it up and lend it to somebody for 20-25 years and pray to God that nobody comes and picks it up during that period of time.

This is what banking is. They call it liquidity risk because you have taken something that is liquid (cash) and have converted it to a mortgage which is illiquid, that is, not easily converted back to cash. That in itself comes with a risk.

There is also a concentration risk, Madam Speaker, where you only lend money to people who work in the construction industry. Something goes wrong in the construction industry, guess what? So you have to balance your portfolio— lend to some people who work in construction, some who work in financial services and tourism. These are all risks that banks manage. So the Leader of the Opposition is correct that there are many risks that we have to look at and mitigate, and more than likely it will require some level of bespoke legislation.

The most important thing is that we do something, Madam Speaker. Doing nothing is not an option. We have an ageing population. In the last election, Madam Speaker, the average voter age in Bodden Town West was 49 and the funny thing about it is, that was the second youngest of all the districts. The lowest

was Newlands and Cayman Brac West and Little Cayman averaged 57, so there are structural things within our overall population that we need to accept, that need to be looked at, but doing nothing is not an option.

I can safely say to the Member for Bodden Town East who has brought this [Motion] that, *we are working on a solution* and while we are working on a solution— as I said before, this Government *can walk and chew gum*— we are looking at something that hopefully after speaking to the Board yesterday, they will be looking at the \$2 million and saying, *let us set this aside for our seniors*.

Madam Speaker, with these rising interest rates, and just yesterday we saw interest rates go up again, younger people have the ability to go into the bank and refinance and stretch the payment out over a longer period of time because they have age on their side. Our seniors don't, and we need to make sure that we put something in place because these are the people that we do not want stressed. They have already given so much to Cayman, they have already put up [with] so much, and at the time in which they are getting ready to look towards the golden years to retire, to have fun and look at their grandchildren, they are now spending 14 minutes 25 seconds on the phone, wondering why they have to work three years longer than they wanted.

Madam Speaker, I am talking about \$58,000 for property worth \$700,000. Caymanian people will starve but they are paying their mortgage or Caribbean Utilities Company Ltd. (CUC) first.

Madam Speaker, you know what I learnt the first time I was campaigning? I remember my grandfather used to say to me, *if you go to somebody's home and they don't offer you something to drink, you're not welcome*. It was when I was campaigning and was in homes and I realised, *oh God, they didn't offer me anything to drink* and thought, *oh Chris you didn't do well*. It was when a woman looked at me one day and said, *Mr. Saunders, I would offer you something to drink but all I have is the water in the pipe*.

I've been to homes where people offered me the little drink boxes that they put in their kids' lunch pan. That is how our people are, they are proud people. So giving them some option to at least reduce the dignity gap, is not something that we cannot consider; the Government must consider this. Yes, we are working for it and maybe we need to move a little bit faster, but we need to do something, doing nothing is not an option.

To my good friend for Bodden Town East who, ironically, just over a year ago crossed the aisle and joined this team, I want to say, your journey was not in vain because this is still a government that cares about our people and remains people driven. Regardless of how much people are struggling or how much you feel their pain, one thing does not change, *it still takes cash to care*. Regardless of what we say, or the risks need to be managed or how much knowledge we have on

this subject, one thing still does not change, *people do not care how much we know until they know how much we care*.

To my good friend for Bodden Town East, who brought this Motion, and my colleague from East End, who is actually missing his event in East End to be here to do the people's work, I want to assure them, as the Minister of Finance and as the person with the constitutional responsibility for the Cayman Islands Development Bank, that this Government is going to find a solution.

I want people to understand something here: The Premier, you're not going to find anyone who is going to sit down and look at every single [way] this can impact many different things more than the Premier. He has an analytical mind. When we do get this through, and we will get it through, I can assure you that with the lens that the Premier will put on it, when it comes down here it's going to be something good because he does not sit in that seat and allow Ministers or anybody in this Government to just do pipe dreams or anything like that. He is also a person who understands what Caymanians mean by *steady as it goes*— we don't do anything crazy. It will take time.

In the interim, I am open that the CIDB do look at the product just for our seniors, those with a low loan to value [ratio], good credit risk, good credit rating, good credit history, and we can find some solution for them. I also want to ask the banks in this country, Madam Speaker... The last time I looked at it, over \$15 billion worth of assets was sitting in the Class-A commercial banks in this country. They need to do more, they *can* do more, they need to do better, they can do better.

At the end of the day, we are all in this boat together, and while some of us may be young today, if God has blessed us with some level of longevity, we are going to be where our seniors will be, and how we treat them today will also determine how we are treated tomorrow. So, I am happy to work with the Member for Bodden Town East and my colleague for East End on finding a solution to help our people, because this is what this government is about, being people driven and looking after our people.

Member for Bodden Town East, I want to say this much: Thank you for reminding me. This is something that is still being worked on, and like I said, we already started taking some steps. We have seen the fixed rate loans that CIDB has been offering. All the lending has been used and I am very happy with the Board we have. Like I said, they moved from lending \$100,000 in 2021 to over \$15 million in 2022, and it is only because we could not lend more. It speaks volumes, but we need to do better by our seniors.

We need to fix the pension. We need to fix many of the structural issues. For years the Caymanian people have asked to bring some of the pension money home; bring some of the long-term money home, where it can actually go a long way in helping our people and that's what we need to work on.

So, Madam Speaker, on behalf of the Government, I want to thank the colleagues for putting what we need to do back in perspective for us.

I also want to give the Leader of the Opposition the assurance that this is not something that the government is going to go into willy-nilly. We are not going to do anything to allow people to lose their homes, but we also have to accept that some of our young people are not doing right by their parents. I have known some young people who are sitting, almost waiting for their parents to pass, so they can get their property and sell it. I have seen some of that too and it may not be a nice thing to say, but is reality. Some of them need to do better, treat their parents better. You know what I mean.

I will tell you what: for my gentleman up there, who already swears blind he is going to leave his property to either the nurse or the helper or maybe both of them, depending on which moody he is in, I would be happy because his kids don't do a bloody thing for him and I hope to God he doesn't leave them anything. I know he is listening too, so from that standpoint—

[Inaudible interjection]

Hon. Christopher S. Saunders, Deputy Premier: Well I hope his children do something for him; at least go look for him this Christmas. I mean, it's really disgraceful the way they treat him.

I'm sorry, you know, but at the end of the day we need to make sure we have something in place for our people to at least retire in dignity. I am sick and tired of the man sitting down there, some days you drive past his house is in darkness. People are not supposed to be living like that, when Caymanian wealth is tied up in their equity. Banks don't want to touch him because he is too old. What is the use of having an asset if you can't benefit from it, you know?

I will heed the words of the Opposition and I really want to thank the Honourable Leader for taking the time, because he is right in that we need to ensure we are careful with this, because if we don't get it right, there is much risk that will come with it.

However, as I said before, doing nothing is not an option because there are too many of our people who need to at least be able to sleep better or wake up better at night, knowing that at the end of the day, this is still a Government that cares about them; I would like to say not just the Government but the Members opposite as well, because I cannot say that they don't care about people; I would be misleading the public in that regard. I want to thank them all for their contribution and thank you, Madam Speaker.

Thank you very much.

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

Does the mover of the Motion wish to exercise his right of reply?

Mr. Dwayne S. Seymour, Deputy Speaker: Thank you, Madam Speaker.

I want to thank the Leader of the Opposition and the Deputy Premier for their contributions. Also, the Member for East End whose social is going on right now, I thank you so much for seeing the importance of this Motion. Country before self, thank you sir.

Any opportunity, Madam Speaker, to speak or debate in favour of our dear seniors is a great opportunity. There are pros and cons to everything and in listening to the Leader of Opposition's contribution, and as the Deputy Premier alluded to earlier, there are dangers in everything. There are dangers in driving out of your driveway, there are risks everywhere.

Madam Speaker, in my quick wrap, even a person who was 50 in 1998, as I mentioned earlier, contributing to a pension plan, their monthly retirement pay-out would probably be about \$400 at best. I have also seen and heard, as I walk about the districts and talk to people, some people get \$150 from their pension in some instances. Hence why they need to lean on government through NAU, to get support to ensure that they can live a comfortable life, and that's depending on the salary that they were making.

Madam Speaker, right now, it's either this or NAU for the comfort of our seniors. What are the other suggestions? Madam Speaker, I listened to the Opposition Leader I know that he and the Deputy Premier come from a banking background, but I was wondering how you could default on your loan when you're dead? I wasn't sure exactly what—

[Pause and crosstalk]

Mr. Dwayne S. Seymour, Deputy Speaker: The echoes from the Opposition are quite correct. I kind of understand where they are coming from in terms of default and I agree that we need to ensure that the right policies and expertise are sought.

In my presentation, I reminded the public and this honourable House that this Motion is by no means the only option, nor should it be considered as the only option— it's just an option.

Madam Speaker, in terms of what the Opposition Leader said about ensuring that they sought the right counsel I said so in my contribution, and I noted how important it is for persons to understand what it is that they are getting themselves into, and why it is important to seek advice from a qualified advisor.

It could cause much confusion if a person passes and the family and heirs don't really understand what they got themselves into.

[Inaudible interjection]

Mr. Dwayne S. Seymour, Deputy Speaker: I just want to ensure that the public understands after hearing other utterances.

Madam Speaker, I want to really thank the whole House and I appreciate the contribution from the Leader of the Opposition, in terms of the dangers and the risks in these plans. As he said, we have a unique opportunity in trying to create something that is suitable for Cayman, and not everyone is going to take this up. I am sure it's going to be very scary for some family members saying, *oh, you know mummy or daddy, we really don't want you to do that*. Then the children would have to find an option to ensure that they help their parents live a good quality life. We're not saying that all the children of the Cayman Islands mistreat their parents, don't take care of their responsibilities or don't have love and care for their families; we are not saying that at all. However, there are some bad players out there, and we're trying to protect seniors so that if there is no other option, they at least have an option to fall back on, as the Minister for West Bay said.

Madam Speaker, we need to give our seniors some advantage, we just can't do business as usual. The Government is trying to find ways to ensure that if there are bad players who are not taking care of their parents—because we know that \$150 is not enough for a person to live on monthly; you have utility bills, insurance, et cetera. If \$150 is all their pension plan is giving them, it is not enough to take them through.

Madam Speaker, the bad thing about it is—and I hate to say this—once you become a politician, if *God forbid* you lose your seat, I have seen some very sad situations, especially when nobody wants to hire you. I am not just doing this for politicians, by no means, but I am saying that there are all kinds of situations out there.

Madam Speaker, if someone ever doubted, I want them to talk to that 70-year old lady who has been coming to my office and finding me wherever she can, just so I can talk to her about her situation; talk to the bank, give her some hope, try to find different options, send her to different financial institutions, but she is over 70. She still has a loan on the house and she lives alone. Her children have their problems. Many people are living paycheque to paycheque, people are trying to carry their own selves and some people just honestly can't help their parents with much, we just need to face it.

Madam Speaker, I think this is something good for seniors. If I were a senior, I would want something like this. In fact, we need ten more options for seniors as we go along as a Government.

[Desk thumping]

Mr. Dwayne S. Seymour, Deputy Speaker: We will find them and bring them forward, but Madam Speaker while I wrap up, I would like to mention 1 Timothy 5: 1-2, **“Do not rebuke an older man harshly, but exhort him as if he were your father. Treat younger men as brothers, older women as mothers, and younger women as sisters, with absolute purity.”**

Madam Speaker, it goes on in Psalm 71:9 **“Do not cast me away when I am old; do not forsake me when my strength is gone.”** Our seniors deserve this hope, Madam Speaker. As the saying goes, *when good men do nothing...* and you can finish the rest.

I thank you all. I commit this Motion to the House and ask for your full support. God bless.

The Speaker: The question is, that the Government considers introducing equity release mortgages, and reviews and amends any relevant legislation to find a way in effectively using home equity.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No. 6 of 2022-2023 passed.

**Private Member's Motion No. 5 of 2022-2023
Policy to Increase Building
Heights to 25 or 30 Floors**

The Speaker: The Elected Member for West Bay West.

Hon. W. McKeever Bush, Elected Member for West Bay West: Thank you, Madam Speaker.

Madam Speaker, I beg to move Private Member's Motion No. 5 of 2022-2023: Motion on a policy to increase building heights which reads as follows:

WHEREAS the Cayman Islands has become a world class destination for upscale investors;

AND WHEREAS the development of up-scale buildings could be better facilitated with an increase in building heights;

AND WHEREAS there is a need for better utilisation of available land for the development of buildings to support the growing needs for infrastructure to support the Islands' continued growth and economic success in much pressing areas of housing and to support the development of new forms of commerce while reducing the development footprint, thereby reducing the land area required to support these key areas;

BE IT THEREFORE RESOLVED that the government consider implementing within the next five months, a policy to increase building heights to 25 or 30 floors.

The Speaker: Is there a seconder for the Motion?

Mr. Dwayne S. Seymour, Deputy Speaker: Madam Speaker, I beg to second Private Member's Motion No. 5 of 2022-2023.

The Speaker: The Motion has been moved and seconded and is now open for debate.

Does the mover of the Motion wish to speak thereto?

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

As Members would know, I circulated an amendment. As I don't propose to go ahead with it, I move that such proposed amendment be withdrawn under Standing Order 25(6).

The Speaker: The motion to withdraw the amendment of the Motion has been moved. Is there a seconder of the motion to withdraw the amendment?

Mr. Dwayne S. Seymour, Deputy Speaker: Madam Speaker, I second the motion to withdraw the amendment.

Hon. W. McKeever Bush: That's okay, Madam Speaker. I can enlighten the House as to what we are doing. If I may go ahead, Madam Speaker.

The Speaker: The question is, that the amendment to the Motion be withdrawn.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The withdrawal of the amendment to the Motion, passed.

Hon. W. McKeever Bush: Madam Speaker, now that the proposed amendment has been withdrawn—and to make it absolutely clear, that was for the 25 or 30 floors. I propose to move an amendment at this time, in accordance with the provisions of Standing Order 25(1) and (2).

I, the Honourable W. McKeever Bush, Elected Member for West Bay West, seek to move the following amendment to Private Member's Motion No. 5 2022-2023.

That the motion be amended by:

- (i) deleting "25 or 30" in the Title and inserting "15 to 20";
- (ii) deleting the words "within the next five months" in the 'BE IT THEREFORE RESOLVED' section; and deleting "25 or 30" in the 'BE IT THEREFORE RESOLVED' section and inserting "15 to 20".

The new resolve section will now read: **BE IT THEREFORE RESOLVED that the Government considers implementing a policy to increase building heights to 15 to 20 floors.**

The Speaker: Is there a seconder to the amendment?

Mr. Dwayne S. Seymour, Deputy Speaker: Madam Speaker, I beg to second the amendment.

The Speaker: Does any other Member wish to speak?
The Honourable Elected Member for Red Bay.

Hon. Sir Alden McLaughlin, Elected Member for Red Bay: Madam Speaker, just to ask the Honourable Member who is moving the Motion, if he could explain why there is a 15 to 20 floors proposal. Is it 15, 20 or something in between that is being proposed?

The Speaker: The Elected Member for West Bay West

Hon. W. McKeever Bush: Madam Speaker, in moving the Motion in the very first instance, having been in Government, I have always believed the best wording is for Government to "consider" a matter, which gives Government all the leeway needed.

[Inaudible interjection]

Hon. W. McKeever Bush: Leaving it open allows Government as much discretion as possible to determine for example, where to place zones and other things that will be needed. I thought it best to leave the mechanics to them.

Members prefer to have a set figure; Me? I'll go 50 floors. When they ask me, coming out of church, *where you want to go?* I say, *you see that cloud there? Just below it.* Of course, that wasn't the best answer. I thought it best to get it here to be debated and hear from the Premier who I know is going to speak. Maybe other Members and the Opposition will speak also, but that's where I stand. I just wanted it to give as much discretion as possible.

The Speaker: The Honourable Deputy Leader of the Opposition.

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

Madam Speaker, perhaps I could suggest to the mover of the Motion, on the technical side from a planning perspective, you may want to amend the Motion to read "up to 200, 300 feet" versus stories. The laws have been amended over the years because the issue with storeys caused quite a bit of trouble. It depends on whether a person has a 10-foot or 15-foot ceiling, so instead you would say *up to 200 feet, 220 feet, 300 feet* and then the developer can decide whether it's a 9, 10 or 12 foot ceiling.

The Speaker: The Elected Member for West Bay West.

Hon. W. McKeeva Bush: Madam Speaker, I thought I explained that I thought to give the Government the widest discretion possible and leave the mechanics to Government because they will have the ideas. This House can't just take on everything like that.

I thought we were at the point to take the vote on the amendment. I don't need to say any more than what has been said. At this point, I will speak to the amended motion.

The Speaker: The question is, that the Motion be amended as follows: **That the Government considers implementing a policy to increase building heights to 15 to 20 floors.**

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

AYES.

The Speaker: The Ayes have it.

Agreed: The amendment to Private Member's Motion No. 5 of 2022-2023, passed.

The Speaker: The Motion as amended is now open for debate. Does the mover of the Motion wish to speak thereto?

Hon. W. McKeeva Bush: Madam Speaker, I am moving this Motion because I feel strongly about the ideas that have been discussed over a period of years and I firmly believe there needs to be a debate in the House on the matter. I believe that there are issues that we face as a country that we can't leave to be debated just by social media and the soundbites, and cut and paste process that some use in social media. We have to debate those issues here and when we know the issue, make sure not to leave the issues to negative and poisonous people.

We are a developing country and the day we stop doing that we die. Certainly, we need to better manage our development, and a good place to start is to find ways to save and make better use of our land. That is my intention for this Motion; to make better use of our property. Some Caymanians have been able—and we are not going to say that this is not for Caymanians, it is for Caymanians. We want to recognise that there are Caymanians who have several acres, big tracts of land, and then there are Caymanians that have small plots of land. I think we have to find ways, as the Deputy Premier and other Members talked about earlier, who did a good job talking about innovation and how we need to shift the paradigm in the country, and that is, simply, if we raise our building heights we save on the development footprint.

As the Motion says in the third Whereas, **“there is a need for better utilisation of available land for the development of buildings to support the growing needs for infrastructure; to support the**

Islands' continued growth and economic success in much pressing areas of housing; and to support the development of new forms of commerce while reducing the development footprint, thereby reducing the land area required to support these key areas.”

In addition, Madam Speaker, I would say that taller buildings are entirely consistent with sustainability and climate resilience, whenever we put it in place—and I am not a contractor, but I talk to contractors. When you elevate the ground floor, when you increase setbacks from the water, when you include mixed-use [development] to promote fewer cars to promote more walking and biking; when you include solar and other sustainable energy and other sustainable materials, yes, it is entirely consistent.

Also, Madam Speaker, for those who say taller buildings mean more people, I think they are wrong. You could build the exact programme in two or three 10-storey buildings, but using more land. So I hope an improved position can actually become a reality.

Madam Speaker, Members of Government on our side and on the Opposition have talked about this for some time and I think it's time this House makes up its mind, debate it, and say where we want the country to go. Yes, there are those who oppose it and some are well-known opposers to everything forward-thinking. They are always against development; they are against dredging too, but they are the first ones to jump and build their big house on dredged-up land.

Some say, *we don't want more development*. When we stop that, tell me where the money is going to come from. They want better roads, better health care and better education, with more and better equipped school buildings. Just a while ago, the two Ministers on the front bench were saying that we have to get a new school and a hurricane or disaster shelter of some kind for West Bay. We want new airports and more housing and I could go on. Where is the money coming from?

I have long fought the forces of evil that say we can get revenue from where many other countries boost their revenue: taxes on property, value added tax, and income tax. Yes, but not me, that's not my position. That's why I got into trouble with the United Kingdom, because they gave me the ultimatum, *do it!* And I said, *not today, bobo*. I'm against it, and if the poor people in this country listen to some of these people...

If they think things are bad, well, let this country get to a position where we have lost our three revenue bases—financial services, tourism and the flow of development—then the taxation proposers win their cause and our poor people will see real poverty.

I believe that changed building heights—and I am not saying that all of it will go to 15 or 20 storeys or that it can't be for housing either; we might have to do it. We might have to do it, and I think that changed building heights will help bring all around the necessary sustainability we talk about.

Madam Speaker, this is something some of my colleagues say, that I agree with: In doing any kind of development, as a country we must get something more from the investment; so in [approving] any height, whether 15 or 20, the Government would have to negotiate to get more than planning fees, because benefits must be received by the country to address the expected impacts it will create.

I am not going to listen to these people who want everything in the morning, and in the afternoon they don't know how we are going to pay for it. I'm not listening to them. I have lost governments over my 10 terms—lost my seat, too. But look at it: They complained and complained about my administration moving back the road, yet were the first ones I saw on that bypass giving me thumbs up. I said, “*Yeah, it looks like you would do that.*”

[Laughter]

Hon. W. McKeeva Bush: They were the first ones jumping on it and I can tell the world if we hadn't done it, I don't know what would happen to the western side of the country.

[Inaudible interjection]

Hon. W. McKeeva Bush: It would be worse. It would be worse because we only had one [way] in and out down there, but we took the decision, took the blows, took the accusations, took the investigation for it! But we have done the right thing.

I am here to represent and to lead; that's what I am elected for. To make the decision and do it, if it is good for the country and as I have said, Madam Speaker, I know we need to better manage our development. We need to get something from it. That hotel being built next to the public beach by that roundabout, we need that kind of hotel but I didn't give it to them. I said, *no*. I wanted that piece [of land] to do something else for the people, for the country. We got a better public beach, except for the things that go on down there now, Madam Speaker. Some of it is not good, but we got a better public beach. We got something out of putting that road back.

When they were going to build Camana Bay we begged Caymanians in this Town, *please open late at night, please extend your buildings. Oh no, we goin' have to pay over-time*. Well, an investor came and built a city. They weren't going to get it, because they couldn't get it if they didn't have the two canals. The Department of Environment (DoE) said, *no, you're not getting it*. I said, tell me why. *Oh, it's digging the Crown's bottom, taking down swamp*. I said, well, we have to do some of that—but I want this for it:

- A park in each district—and we got that as a government;
- A youth centre in West Bay, and I wanted to give it to the church I belong to. They

didn't want to do it either, but we found a way to get it and they built it. Over \$300,000.

Madam Speaker, we have to get something from the bigger investors out of what we do; not just a road, but something else out of it. That's what I think. I firmly believe that whatever we do now, when Government puts it all together, we have to get something out of it. We're going to get the negative impacts, yes, but we have to manage it better. There are many plans coming, being talked about, to be able to do that, and I think we will.

We have to manage our development and there are plans on the table somewhere. Maybe not where it needs to be at the present time, or some people think that more needs to be done, as far as a plan should be but the experience, let me tell you, the experience has been, the discussion really begins when plan of ideas has been made public. That's when it begins. When something should take 3-4 months, once you put it out in the public domain, it will take years for the naysayers to be back and forth with the Opposition to its contents.

I suspect the only reason it won't happen this time, is if the naysayers are given everything they want, but I remind us all that governments have been lost because of a development plan. Every member of the 1976 administration was swept out because they wanted a development plan. As I said, some people in Cayman today want everything, but want nothing to change. That can't work.

Madam Speaker, much can be said about this matter and I know there are others that are prepared and ready to debate and put their ideas forward and that needs to be done, but as the Deputy Premier said earlier, we can find every way under the sun to not do something. I believe we must do something, there are pros and cons in every issue.

Madam Speaker, I trust that after three amendments now the Motion will get a safe hearing and a positive vote for the better on the whole matter of development.

Thank you, Madam Speaker.

The Speaker: Members, before we continue with the debate, I'm going to take a 15-minute suspension.

Proceedings suspended at 8.03 pm.

Proceedings resumed at 8.25 pm.

The Speaker: Proceedings are now resumed. You may be seated.

We continue the debate on the Private Member's Motion. Does any other Member wish to speak? [Pause] Does any other Member wish to speak? [Pause] Does any other Member wish to speak?

The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Madam Speaker, thank you very much. I rise in my contribution to Private Member's Motion No. 5.

Madam Speaker, I am going to start in a manner that some would perhaps find surprising: I believe that building heights and higher buildings will almost certainly be a part of our sustainable future, but I also believe that the best way to achieve that is through holistic national planning.

Madam Speaker, I welcome the Motion from the Member for West Bay West, seconded by the Member for Bodden Town East, because it does raise important issues that should be discussed. I certainly know that their intention is positive and seeks to bring the issue to the fore for the benefit of the country and our people.

Madam Speaker, obviously this is a very emotive issue for many people. Where I disagree with the Member for West Bay West is in the suggestion that it is a matter which should only be discussed in this honourable House. That was the implication, and I think that we need to be bold enough to ensure that we understand what the views of the people of this country are on issues like this.

We know what all the challenges are, and as with the Motion that we discussed earlier, where we had presentations of the potential benefits and the potential risks, there are obviously similar factors to take into account with issues like this as well. Madam Speaker, we have all of the problems today, of less of a developing country, but rather a developed country, because of the challenges that we have in trying to fit so much activity within the confines of the main island, Grand Cayman, which is 21 miles long, 8 miles wide at its widest point— and of course, not done evenly.

Of course, we have our beautiful Sister Islands as well; I don't think anybody is suggesting anything of the sort in terms of building height increases there thankfully, because I don't believe it should be a part of the discussion. I think it is certainly fair to have that discussion for Grand Cayman, Madam Speaker, but as I said, I feel strongly that we need to include the people of the country.

Madam Speaker, back in the late nineties the country embarked on an exercise which was supposed to give us what they were calling Vision 2008 at the time. The concept, Madam Speaker, was to get the views of the people as to what they wanted the country to look like and feel like 20 years down the road. Where they wanted to live.

Many countries, Madam Speaker, have taken very strict approaches, they have greatly limited the kinds of development. They have specified down to the types of roofs and the colours of roofs and all sorts of things; we haven't chosen to take that approach. I think Cayman definitely looks far more cosmopolitan than many places, but I think in general there are factors when it is really appropriate for us to get the views of

the people and I'll be speaking about it in the coming weeks.

I will be proposing ways that we can start to get the input of the people of the country in the coming months because I think it's really important that we do that. The people of the Cayman Islands who we are elected by, are rightly in the best place to tell us what they want from the country and what they want the country to look like.

Madam Speaker, as I said earlier, we have the challenges of traffic. We discussed that in this session of this honourable House; we know that there are difficulties there. One of the obvious challenges of having higher buildings is that you end up having higher population densities within that area and you will likely end up having significantly higher utilisation of existing infrastructure.

Madam Speaker, these are all manageable things provided that we plan appropriately. I also said earlier in this session that, for the country to make decisions, to make plans, we need to ensure that our people are involved [because] we really do not have the same luxury of margin for error that we have had in the past. In the last 50 years building heights were increased three or four times. I'm focusing on that just because it is the subject of the Motion. I don't know whether there was any structure or any process around that decision making but at times it felt like it was more of a reaction to a specific proposal.

When we consider these things, Madam Speaker, I think we need to understand what the root problem we are trying to solve is, and how we are trying to address these issues. I know that there are those who will take the view that we can continue to do all this without any consequences because the country has been successful so far and it hasn't caused any significant problems. Madam Speaker, I think we are seeing the reality of many of the problems today, from traffic to the need for schools in places that our schools are already full— we know we need to find the money to build additional schools.

We have had a population increase, just since the time that we have taken Office, Madam Speaker, because if you would recall, we came in being told the population was 65,000; by the time we concluded the slightly-overdue population census in December of last year and January of this year, the conclusion was that the population was around 71,000. Of course, eight months later, we had an indication from the Labour Force Survey that the population had jumped to 78,000.

Madam Speaker, we are facing significant challenges because of population growth; because we have been successful as a country, because our economy has grown; our financial services have been an absolute stalwart performer as a part of our economy and tourism is now coming back with a roar. All that means is that we absolutely need to ensure that we are doing proper planning, that we have the adequate

physical, social, technological and even cultural infrastructure in place to help us manage the consequences of this growth.

Madam Speaker, we also have the challenges of climate change, we have the situation which has developed, again, with planning issues relating to sea-walls and similar obstacles that have been allowed to be built in the dynamic beach zone which have resulted in significant erosion on our precious national and tourism asset, Seven Mile Beach. That is a very significant issue that we have to bear in mind, and one of the solutions to it is to recognise that we cannot allow the kinds of development that we have had in the past in the dynamic beach zone.

Madam Speaker, in the early part of our development cycle, probably back in the late seventies/early eighties, I think the practice at that time was to not allow development beyond what was called the 'vegetation line' at that point. We have gone beyond that and we have utilised a sort of varying main high-water mark which I think has resulted in approvals being given to certain types of development with variations to what were established setbacks from that varying high water mark. That has resulted in some of the challenges that we have had with erosion, the walls, et cetera being built into the dynamic zone.

One of the solutions there, Madam Speaker, is to facilitate what is referred to as a "managed retreat"; that is, you pull back buildings from the dynamic zone which tend to generate the erosive forces on the beach because we are always going to have periods of wave action. Whenever that occurs and there are these walls or these obstacles that have been put in a dynamic beach zone, it interferes with the natural process. Even further than that, normally when there's wave action and erosion on the beach, there's usually sand on the beach ridge which helps to replenish sand that has been removed by wave action. When we build or develop there, more often than not that sand is completely removed so it's not available to participate in the natural process of re-establishing the beach.

Madam Speaker, a part of this has to be a discussion about a managed retreat, moving buildings back, moving many of the developments back and obviously a compromise with respect to that is to facilitate and allow buildings to go higher so that the project can work, and we are able to provide for hotels for example, that generate additional income, in terms of the hotel room tax.

I think this approach of managed retreat is going to be necessary for us and a part of the solution with respect to that will be to facilitate buildings going higher. How much higher? Well, that is the question Madam Speaker, that I think the people of this country have a right to have a say in. It should not be a discussion just among us as Members here, making assumptions of what the people of the country feel is the right building height and a right approach to take in respect of this.

Madam Speaker, we are all here trying to find solutions for the long-term best interest of the country; the long-term economic health of the country; the health and wellbeing of the people of the country, and improving their quality of life, so it's fair to consider these kinds of approaches. I don't think that it should simply be something that is considered in isolation without a discussion with the people of the country. While we are doing this trade-off, trying to attain this dynamic balance of sustainability vs. utility, I want the majority of the people of this country to have a say in that.

I think we can do that, Madam Speaker. I think with the utilisation of technology today, and a determined effort for us to engage with the people of the country, we can do it. Earlier this year, we conducted a climate change risk assessment and a survey was done in the process. I think we had over 1,000 responses which in terms of statistical prediction, was about three times what was anticipated; so we can engage through this process of talking to our people and explaining these issues, Madam Speaker; but we have to have proper development planning as well— we have to be working on the development plan and infrastructure.

We have to have a clear idea of the impacts on the country's people and infrastructure. Everybody knows, Madam Speaker, that we cannot just go and build more roads, there is a finite extent to which we can develop roads and do things to move people in cars on this Island. Of course, my colleague, the Minister for Tourism and Transport, is working on a public transport strategy which we are all going to be contributing to. That is another important part of all of this, because we have to find ways to reduce the impact and the load on our existing infrastructure. So, Madam Speaker, I am happy to support the Motion, as amended, to consider 15 to 20 floors.

It will be moving forward with the plan to engage fully, to understand the views of our people and get their input, because I think that is the right thing to do. At the same time, we need to know what the impacts are going to be; all of the technical knowledge around planning, infrastructure, confirming what the impact will be on school needs and any other infrastructure or service that the people of our country utilise, Madam Speaker. We need to know how we are going to provide those services and, most importantly, be able to plan when we need to provide those services.

Madam Speaker, I think we all recognise that this sort of buildings are not going to be places that Caymanians will be buying to live in generally, because they will be out of their price range or won't be available if it's a hotel, for example, but of course, it contributes to the economy. It helps to provide jobs and provides an injection in terms of economic activity and all of that is important. Sustainability is about social, economic and environmental benefits, so we have to balance all of these things and plan the way we are going to do it. We need to also get the views of the people so that we

understand clearly what it is that they want and how they want us to go about doing it.

Madam Speaker, with that, I thank you for the opportunity. I am looking forward to the rest of the discussion here, and to having this really important discussion with the people of the country as to how we go about this, because it is necessary for our long-term sustainable future.

Thank you, Madam Speaker.

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

The Honourable Deputy Leader of the Opposition.

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

Madam Speaker, I have a few comments on this Motion but probably nothing surprising.

I start by expressing my disappointment that due to the COVID pandemic myself as Minister, and this administration, were not able to carry out a review of the National Development Plan despite an ambitious start with the creation of the national planning framework called 'PlanCayman'.

I will say, Madam Speaker, that I am even more disappointed that after some 19 months into the PACT Administration, which campaigned strongly on sustainability, nothing yet has been done. Now, Madam Speaker, we are facing the dangers of possible amendments to the National Development Plan for building heights without a proper review of the entire plan being done.

Madam Speaker, I agree with much of what was said by the mover of the Motion, the Member for West Bay West, as well as the Premier. If you speak to persons, they feel that building heights are inevitable; there are discussions and maybe disagreements about where we should have them. Some people say if we're going to have them, let's have them in George Town and others say, keep them on Seven Mile Beach.

What is true is that whatever decision is made, it can't be a one size fits all. As the Premier mentioned, I don't think we are talking about the Sister Islands or North Side when we are talking about 20 or 30 storey buildings but I may be wrong, so it is not a one size fits all, Madam Speaker.

When I saw that the Motion was coming I assumed that the Member was going to speak to Seven Mile Beach and he said he left it open for the Government, for the technocrats, to decide where. However, Madam Speaker, if we were to look at Seven Mile Beach, just looking at its size, it is nothing more than what you would call a "planned area development" in much larger countries. I have been to timeshares that are as big as Seven Mile Beach when it comes to square mileage.

Madam Speaker, I feel that it is unfortunate that we are here debating this in isolation because if the

PACT Administration had started any sort of review—and let's forget PlanCayman—of the National Development Plan, then perhaps we would not even be here discussing this Private Member's Motion.

Let me talk a little bit about PlanCayman and the national framework, Madam Speaker. The tagline of that project was "**Your Plan. Your Future**" and we made great efforts to invite all residents in the Cayman Islands to contribute to the process. As the Premier alluded to, we felt that was important as well. During the consultation on the first phase of the national planning framework, over 2,000 comments from 356 respondents were received, and these comments were recorded, carefully considered, and presented to the community via the consultation paper.

Madam Speaker, engagement with the whole community should be an ongoing feature of any review of the National Development Plan. The review must include consultation exercises in the preparation of each of the area plans, should the Government choose to take that route. Different consultation methods could be used to engage the whole community:

- In-person Town Hall meetings;
- Online approaches;
- Social media; and
- Reopening or creating a website for feedback.

Madam Speaker, before any decision is made on building heights or redevelopment of areas, beach access has long been recognised as a key issue for the Cayman Islands. There is a growing level of frustration and perceived threats regarding the public's right of access to the beaches around our Islands. Assurance of public access must be addressed; some of the issues affiliated with beach accesses are not limited to:

- (a) providing adequate and unrestricted public access to the beaches and the sea, including for fire and rescue vehicles within our hotel and tourism zones;
- (b) defining clear setbacks and public access to beaches for coastal developments; and
- (c) develop a comprehensive recreation and open space plan that includes beaches and beach access points.

The mover of the Motion alluded to the same vision that he had many years ago on beach access and open space plans.

Madam Speaker, any future plans must take a holistic approach to the climate change issues. While acknowledging the threats of sea level rise, various elements of climate change resilience and adaptation must be addressed, such as coastal zone management, sustainable transportation, the natural environment, site and building design, sustainable design and construction, electricity and street lighting, and tourism zones.

Madam Speaker, any plan going forward has to protect the important natural resources and at the same time enhance our public open spaces. We must exercise environmental preservation, create and maintain open spaces, develop coastal mangrove buffers and have a proper storm water and drainage plan. With a comprehensive framework, we can make these sorts of decisions; with a plan we can build for the future. These sorts of decisions can be made with proper public input and the reassurance that we are building for the future in a sustainable fashion.

Madam Speaker, as our population grows, the need for us to review the 25-year old National Development Plan is now at a critical stage and Seven Mile Beach, in particular, is now at risk of redevelopment without an updated development plan. We already see older properties being demolished, Madam Speaker, and there are plans to redevelop future sites. We saw places such as Beach Comber, the old Beach Club and Caribbean Club knocked down and redeveloped, and now we see that Lacovia is scheduled to be demolished and redeveloped as well.

With most of the properties on Seven Mile Beach approaching that age, Madam Speaker, there will need major renovations and the owners will need to make major investments or the decision to redevelop. With the new codes, with buildings not having elevators, nor being accessible to the disabled, most are looking at a full redevelopment as a more viable option versus the high cost of renovations that would be required for them to become compliant with modern building codes and practices.

Madam Speaker, if we want these sprawling two and three storey buildings to be redeveloped in a sustainable fashion, addressing areas such as rising sea levels and beach accesses and all those that I spoke about earlier, then we will need to talk about taller buildings, greater setbacks, turtle friendly lighting—all the things we know we need to do; but we cannot afford to do them in a vacuum, Madam Speaker, we cannot afford to do them without a plan.

Madam Speaker, I can certainly offer my support to the concept of the Motion, agreeing with the Premier in saying that it cannot be done in isolation, and that we have to take these things into consideration. I can only encourage the Government, Madam Speaker, as a matter of urgency, to start the process on the update on the National Development Plan—call it whatever they want; and the easiest way to do it is by zones. If they want to do it by five zones, four zones, three zones it doesn't matter.

As we all know, what is going to be suitable for Seven Mile Beach will not be suitable for East End and what is suitable for North Side may not be suitable for West Bay but the clock is ticking, we have to do something. If we do not do anything, people will continue to redevelop, redevelop, redevelop, redevelop in an ad hoc fashion, and we as a Government, us in here, will continue to kick the can down the road until we have

created an Island of chaos for our children and grandchildren.

Madam Speaker, as I said, we on this side understand that we have to start looking at more sustainable forms of development and redevelopment in the country and yes, in our opinion and certainly in my opinion, that includes taller buildings. The Premier has indicated that the Government would be accepting the Motion; Madam Speaker, we on this side are not going to object to it, but we urge the Government to do it as part of a comprehensive plan.

Thank you, Madam Speaker.

The Speaker: The Honourable Deputy Speaker.

Mr. Dwayne S. Seymour, Deputy Speaker: Thank you, Madam Speaker.

I thought I ought to get up now, as the former Premier Sir Alden said, before there isn't anything left to say. Madam Speaker, the speech that I have here was written when I was first asked to second this Motion, but it has now been amended about ten times and I could not change my speech ten times, so I pray this one does it justice.

As I stand here and ponder this Motion, Madam Speaker, one of the negative things that have been said about it is why is it being done, why is it even being considered, and people have no care and heart for the people. They tell you one side of the story that will suit them, but when you have persons like the mover, the Member for West Bay West and myself, who put our thoughts together on how we can preserve and make life opportunities better for the people of the Cayman Islands, they will insinuate other things. You can believe that.

Madam Speaker, our Motion is intended to lessen the building footprint and save property, making more land available for the Cayman Islands and for Caymanians. The cost of a piece of land or a house lot is probably over \$100,000, which is putting it out of reach of regular Caymanians; and I must say, that I am proud of the Minister of Housing for his effort and determination to build more houses than any other Minister.

That's why I keep saying some governments will plant and some will water but we complement each other, as I bought the most property in one term and he will build the most houses in one term.

[Inaudible interjection]

Mr. Dwayne S. Seymour, Deputy Speaker: These are initiatives for persons who wouldn't regularly afford these high prices in land and home.

Madam Speaker, properties were built too close to the water's edge and now we are paying the price. As former Minister of Environment, I saw the maps of our water's edge without sea walls many years ago, and the situation was made worse when sea walls were at play. We now have an opportunity where

there's limited land, to go higher up and enforce a setback up to 150 feet at least. The only way to achieve this is to change our building heights to make the accommodation, in my humble opinion. Tall buildings are generally recognised as an efficient type of compact development that helps reduce travel distances and carbon emissions.

Some people should stop talking about the Dart organisation like nothing positive has happened from it. They employ hundreds of people— especially in the core Dart companies they brag approximately 75 per cent Caymanians. What do you think Caymanians there are saying? We say we're a government for all the people. I believe they mean well. We ought to thank them. During COVID they kept construction going. I think we ought to thank Dart for believing in Cayman. These buildings can't be picked up and taken anywhere. Fair is fair, Madam Speaker, that's my opinion.

Madam Speaker, this tall building concept is entirely consistent with sustainability and climate resiliency when you elevate the ground floor, increase setbacks from the water, include mixed-use to promote fewer cars, more walking or biking— all that Camana Bay is about. Let's give credit where it's deserved. These tall buildings, Madam Speaker, should have some component of hotel or lodgings, we don't want to build just condos. Hotels create jobs for our people, and utilise our local services and goods, generating repetitive revenue for Cayman.

Madam Speaker, I need my land for our people, hence the reason I was adamant about supporting this. Madam Speaker, we have all heard about the situation where persons were buying whatever property they could find for Permanent Residency (PR), foreclosures, et cetera. Imagine if they had the opportunity to buy a condo, they would probably do that, rather than buying land that our Caymanians could be living on.

Madam Speaker, we have many Caymanians on the National Housing Development Trust's waiting list who are dying to own a piece of this rock, and we need all the land we can get to ensure that they can do so for an affordable cost. The value of owning a home is one of the greatest investments a person will make in their lives, and this improves their quality of life.

Madam Speaker, I hear them talking about ad hoc. You know why things are being done ad hoc? Because any full plan never gets done and it takes years and years, governments come and go; that's the reason it's not here yet. Everybody, once they've gotten what they want, they don't want anybody else to get what they have. We can't have it both ways.

Yes, I agree with Members that we need public consultation; in fact, it should even go to referendum if they want to fast track it, in my humble opinion— although fast track is not a very nice word around here. The Government needs to get out there and do a slew of meetings in every corner and not just at George Town's Town Hall to say that they had a consultation

process and all the people up in Bodden Town, East End, North Side do not know.

Have people know the true benefit for them of what we're trying to achieve. It is not just building taller buildings to change the landscape or to change the skyline, it is also about giving persons this opportunity, whoever so comes along, and I believe that it can't be given to everybody. You have to subscribe to a certain criteria and if you fit that bill you can get this opportunity to build 20 floors; not everybody, it has to be done right.

I think we need public consultation because people need to understand and not just sit down and listen to some people on some talk show saying, *oh, building heights going to change the landscape*. You need to finish it and say, *okay we're going to do this and we're going to do it in a way that is safe and sound and this is how Caymanians are going to benefit from giving developers this opportunity to do that*. I don't think any developer should come here and Caymanians don't benefit from it, because we are being punished for it now.

If we had a road tax we would definitely need to increase it; trying to find money for this or that. There are more people here than us, so it means that somebody has to pay and it shouldn't be us.

Madam Speaker, I guess you can say that this Island is a sophisticated island. We already have Seven Mile Beach which is more developed so let's be specific where we want these kinds of buildings. I believe one or two could go to the East with proper planning, and it could be such that we say, if you go East you can only do 15 floors, but if you're on West Bay Road or Seven Mile Beach then you can do 20 floors and it can only be done in a certain area. We need to have some structure about it, we just can't be putting them all over the place.

Madam Speaker, we have an amazing hybrid of how the Island is set out. We definitely don't want to be Dubai or New York City. Select locations will allow for deep setbacks, open spaces and the taller buildings we need to attract the best hotels or otherwise, especially with cruise potentially dropping, so this addresses climate change also. Certainly, the Eastern districts could remain at a lesser building height and can be done in a different zone.

Madam Speaker, in wrapping up, I want to say that this project aligns with the PACT Government's economic, environmental and social priorities by advancing sustainable building practices, improving the jurisdiction's competitiveness in the luxury tourism sector, and producing ongoing employment for Caymanians and economic benefit for the Islands.

Madam Speaker, we didn't just bring this Motion because we think that one person wants it, no. We have a problem. We have Caymanians who want homes and land; Caymanians who want a piece of this rock and cannot afford it, so we need to find a way to get it done. We want everything but we don't want to give up anything.

Madam Speaker, continuous employment for the construction industry comprising 14.2 per cent of total employment, according to the 2021 Census of Population and Housing Report for the next five years. All indications are for a direct impact of \$3.3 billion and an indirect impact of \$2.1 billion. The projects will generate many jobs. We need to ensure that we approach coastal development responsibly considering long-term needs for managing Cayman's economic and population growth, alongside climate resilience. This is all in the framework of the United Nations' sustainable development goals.

Madam Speaker, there's a time to sow and a time to reap; it's our people's time to reap. I say to this honourable House, as indicated by the Premier and others willing to accept and support this Motion, I think this is the right step. We have other work to do to ensure that this is done properly, and the main reason I agreed to second this Motion is to help my people who otherwise couldn't have afforded what has now gone out of their reach: a piece of this rock.

I thank you, good night and God bless.

The Speaker: The Honourable Minister for Tourism and Transport.

Hon. Kenneth V. Bryan: Thank you, Madam Speaker.

I don't intend to speak for too long as many Members have covered many of the benefits and the concerns of the intention of this Motion of increasing the building heights.

Madam Speaker, before I get into a few of my viewpoints which add to what has already been said, it's important, as we talk about something that may be seen by some as not a priority, that we tell the people of this country that we recognise there's a serious crime situation in our country; and on behalf of the Members of this Parliament to those who are in charge of security as per our constitution, the people want to see more action with respect to that, because we the politicians are getting the blame for it.

Now that I've gotten that out of the way, I want the people of this country to know that we as Members on the Government side and the Opposition are concerned, we talk about it every day, but I want us to also recognise there are limitations with respect to our constitutional power. We want this problem solved just as much as the general public, and yes, as Minister of Tourism, I am very concerned not only for tourism, because tourism is something that can be built, grown, recovered as we are seeing, but more importantly for the safety of my people.

That being said, Madam Speaker, we see that there are a variety of viewpoints with respect to this matter and that's why I'm so happy that this Motion was called to the Floor of this House because we all have identified so far based on the contributions, there is a level of merit for this discussion for the public.

Madam Speaker, most people would know that I am probably seen as the one Member who's edged his career on public consultation and the people's involvement and why I'm willing to support this Motion is because of its spirit. The Motion says to "consider"; and also, Madam Speaker and Members of this House, you would have heard the Premier talk about the opportunity that this presents. Just the mere discussion in this Parliament is going to, by its nature, allow people to start thinking.

Those who said, *oh this is a great idea*, would have heard some of the negative concerns and they may re-ponder. Those who think that it's a bad thing may have heard some of the benefits and reconsidered. What we recognise is there's room for discussion and thought because for some time now, one of the biggest issues outside of the cost of living and crime has been access to the beach. We're having a major problem right now at our public beach that we the Government are hoping to have some answers and resolve to in the first month of next year.

What the mover of this Motion has acknowledged, is that there's an opportunity by something that investors, not only foreign but Caymanian investors like the Kirkconnells and Fosters— and not only them; that want to make money on big, tall buildings. There's opportunity here for the government of the day, no matter who that may be, to negotiate better circumstances as to beach accessibility in giving something that is perceived to be inevitable.

I heard almost everybody in the discussion talk about the inevitability of it. You know how I believe it's inevitable and some may disagree with that, because when the discussion about building heights came up I said, *you know what*— no disrespect to the seniors— *I don't want to talk to anybody past 30*, because even if it was approved, by the time it got built they'll be in their retirement and they're not really going to feel the major effects.

Obviously, they'll care about their nation and where it's going, but the people who have to live with Cayman is the younger generation, so I decided, Madam Speaker, to talk to some of them. I said, *if we could get back some of our beach front to ensure that the beach erosion problem does not continue, if the Government allowed a setback policy, would you be open to the idea of buildings going higher?* Before even initiating the conversation they said, *well Mr. Minister it's inevitable, it's going to happen*. Now, that's not me saying this, it's the younger generation saying *it's inevitable, it's going to go up. If we can get back some of our beach which is more important...*

This is a group, I wouldn't say they're environmentalists but they are the next generation who want to preserve— they are preservers. They want to see all the beach walls gone, they want to see where they can walk on the beach without worrying about somebody trying to run them off of their property. That's what considering building heights can do— and of course, we're

talking about the western side of the Island. That's where most of this focus is going to be.

Madam Speaker, I am just glad that the discussion is happening so we can talk about it and I encourage all of those who are watching and listening, to have discussions with your family members, your friends, your colleagues, your pastor, the person you look up to, your children, and after those discussions come and give your feedback to your politicians. As a matter of fact, all those who are in George Town Central, I expect you to reach out to me and tell me how you feel about this because this decision is ours, together.

Madam Speaker, I recognise there's going to be some difficulty with getting that feedback from the people because it's a very subjective topic. How high is too high, how do we know which areas to do it in? I've heard some people say, *well, we can only do it on the western side*, like the Honourable Deputy Opposition Leader, but then I heard my good colleague the Deputy Speaker said, *well, we can have one or two in East End*. You see the vast difference in viewpoints?

The truth is, the reason I was even okay with the mover of the Motion's first figure of 20 to 25 floors, is because we're going to have to start somewhere. You can say you are open to increasing building heights and go from 10 to 11 or 13; you have to start with something. What we are afraid to do sometimes is actually taking the political risk of stepping forward.

[Inaudible interjection]

Hon. Kenneth V. Bryan: Well, I agree with that, Madam Speaker. My good colleague the Honourable Deputy Premier has just highlighted the fact that he's not afraid. As a matter of fact, he was one of the first ones who went out there and talked about building heights increasing and they almost ate him alive.

[Inaudible interjection]

Hon. Kenneth V. Bryan: Madam Speaker, the point I'm trying to make is: we must have the discussion because there are obvious benefits. Like with any decisions you make in your life, you weigh the pros and the cons. Normally, if you see too many cons you say, *okay that's not a good decision* but what you recognise today, Madam Speaker and the listening public, is that there were many pros presented, so is it reasonable to say let's have this discussion?

I know some people are going to say, *well, boy I'm here dealing with high cost of living, electricity, wages haven't gone up yet, crime* and all these things, but we have to be able to "ride and whistle", so we can have this discussion while we're trying to find solutions to the other things because Madam Speaker, you know why some of these things are coming up on us? I hate to say this, but it's a reality: Construction is slowing down. It is. Madam Speaker, it is slowing down and it is the third, small pillar of our economy; there's financial

services, then tourism and then you have this small economy that employs the most people, called construction. That doesn't sound good, because I know they will be saying, *well, you can't build forever because you only have a certain amount of land mass*, but that's exactly what the Motion is talking about. If you only have a certain amount of land to work with, wouldn't this slow down the development of the land that we have available?

Couldn't this help the overall vision of protecting at least 30 per cent of the country to stay green as per the Paris Accord, where every country agrees to have at least 30 per cent? This can help us with that. Maybe if we say to someone—and I'm talking about the benefits for the country—in order for you to do that you need to leave 'X' amount reserved for the environment. There are options here, and as scary as it may be, it is worse to not plan ahead; then the problem comes around 50 years later, when we're all gone and our great-grandchildren say, *but why didn't they just go a little higher; they would've saved some of the land and it would not be so expensive now*.

I just hope that when we have this discussion we take away the emotion from it and think all the problems through, even if you're coming from a standpoint of, *we're changing the Island and the heights and that's not Cayman anymore*. You're right; but I remember when I was a little boy and I used to work at Kirk Plaza as a grocery boy and there weren't any shops higher than three storeys. I remember the cries because my mother was into the political world then, when they used to say, *Lord have mercy they moved from three storeys to five storeys, they're changing the whole world*. They said that again when moving from five to seven storeys, and again when they moved from seven to ten.

I'm not saying that we don't have the right to make that decision but guess what, the next generation also has a right. It's timeliness; when is the time to make these decisions? It's never a bad time to have a discussion and that's all we're saying. To "consider", open up the discussion because there are some benefits.

Madam Speaker, as the Minister for Tourism I have to [view] the opportunity to increase tourism revenue so we can get that money to pay for education, free school lunches, the roads, the healthcare costs for our seniors who can't pay for it themselves, for school uniforms or any one of those things that many people depend on us to do.

We have to get the money from somewhere and I'll tell you what Madam Speaker, and this may not sound good, but when you're talking about having something concrete to depend on, tourism is more concrete to this country than financial services. There's not a question about that. We don't ever want financial services to go away—it helped bring us this far—but God forbid something silly happens. We would have to go back to tourism as our primary focus.

The Honourable Deputy Speaker made a very good point, I wrote it down; and it may sound a little harsh: *we can't have our cake and eat it too*, but I'm going to take it in a different context, Honourable Member. We just said to the people— and this Government supports the decision— that we are not going to do a cruise pier. Just last evening I gave a statement to the realities of that decision which we are willing to live with as a government because that's the people's choice; but the reality is that cruise [tourism] is declining and it will continue to decline, because I did not mention that the other cruise lines are already on the production line to the mega ships.

I went out on behalf of the good people of this country to talk to them, sat down with the big money people who own the ships and I said, *but you don't need to go to the mega ships*. He said, *this is business, this is money and this is how we do it, and if you're not on board we'll leave you out*— so, we stick with that, no problem. We always said stay-overs generate more money anyhow, but if we are going to lose that, we need something else, Madam Speaker, so we have to be open-minded.

I'm not saying that we must turn this place into Singapore or New York, but there are benefits and before we close our minds to that, I want us to be mature enough to objectively have the discussion. No one is saying agree to it, no one's saying disagree with it. I am saying that the people need to start thinking about something that is potentially inevitable, and if it's inevitable it's best to plan for it rather than make it sneak up on you when you can't take the benefits for it. We have the position to say, *unna want tall buildings, well we want 400 houses for our people; unna want tall buildings, well we want another five miles of public beach to give back to our people because we're having problems*.

There are opportunities here, Madam Speaker. We should not be afraid of it if we are willing to accept the inevitability of it; and I respect the mover of the Motion for at least opening the discussion because I can tell you this, Madam Speaker: Don't think for one second that this is an easy discussion to have. Oh, we're going to get some *licks* tomorrow.

[Inaudible interjection]

Hon. Kenneth V. Bryan: Oh, they are coming. We're going to get some love too, from those who are willing to have the discussion in a mature way of thinking about it, but there are people who are going to be adamant and are going to say, *see, they're changing the whole country*.

Mr. Berkley Bush did the dock and they voted him out the next election. Madam Speaker, this is what happens when we do not engage the people. Mr Berkley Bush made the first dock that allowed us to import food. When he was doing it and he came to Parliament he said, *this is what I'm going to do, unna goin' be able*

to get fresh apples, fresh bananas, fresh meat. They said, *you're changing the whole country* and they voted him out. You know what happened just two terms later? Everybody was saying, *Boy, Mr. Berkley, we thank you so much; if you hadn't done that we wouldn't be able to get anything today*.

My point is that maybe, if we try to engage the people— we have to do a better job at explaining the benefits and the negatives so they can make a conscious decision and give us, the Members who represent them, good guidance, because we're not here just to do it for them. I expect the people of George Town Central to look at it, obviously with me having engagements.

I don't know about everybody else, but now that this discussion is open it's time for me now to go to Central and say, *voters of George Town Central, here's something at hand. Here's my research and it says what are the pros and cons. Can I stand in support or against, based on these details? How do you feel?* That's what I intend to do and I hope that my whole Government intends to do it like that too; and we've heard about the many different forms of feedback— whether it's surveys or direct Town Halls like the Deputy Opposition Leader said, but we need to get some feedback. I don't think it's bad for us to do that.

Madam Speaker, if the people of George Town Central want to know, I believe there is merit in going up and I look forward to the opportunity of sitting down and explaining. It's not my decision alone, I work on their behalf. I'm happy to sit with my people, and I'm going to do it because they may disagree, just like how they disagreed with the last Administration on the pier. *You think it's a good idea, well we don't think so* and that was the end of that— and it may be where this falls too. So Cayman, it's time to talk to your Members because it is here.

What we fail to do as leaders over the years is talk about these taboo subjects. We keep being afraid to. I know that everybody in the country saw those two signs out there about the Motion that we recently spoke about. I wasn't afraid to put them up because it's a reality. No one here is saying that you have to do either one or the other, but we have to talk about it.

Madam Speaker, I did say I was going to be short. I thought that my colleagues highlighted most of the pros and concerns, and the Premier has given the Government's position with respect to what our intention is on the vote. I support the Premier saying that we are going to *consider it* with no guarantees— because guarantees should only be given by the PACT Administration after consultation with our people— but there is much merit to the discussion of going higher.

Madam Speaker, that is my contribution. Hopefully it will help the public's viewpoint with respect to this topic and once we have voted in support of the Member's Motion, the people see it from the perspective that there's no guarantee that tomorrow we are going up to 20 storeys or any other number of storeys, but the

Government is willing to talk to the people and consider it, because there is merit.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause] Does any other Member wish to speak?

[Pause]

Does the mover of the Motion wish to exercise his right of reply?

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

I will not be long. Much has been said and I want to thank all Members who have contributed to the debate and certainly to thank the seconder of the Motion the Honourable Deputy Speaker, Member for Bodden Town East; and all my colleagues hopefully for their support.

Madam Speaker, I will say this, I never said that it should only be discussed in the House. What I am saying still is that we must debate such things in the House either through Motions or other instruments; that it can't be laid just by what we hear and see on social media. That's what I said.

There are a few things, Madam Speaker: we heard about Seven Mile, we can't build everywhere and we don't want the country to come out unplanned, I heard it can't be done in isolation and I've heard about a plan. I don't know; I've never seen anything, but I would say this, Madam Speaker, with all the things that have been said that need to be done—the Deputy Leader of the Opposition went to great length to talk about—I don't know if 25 or 100 things but—quite a bit. If we think that we're going to get anything done with a plan with all of those things, you'll take a few years. The Deputy Speaker stated a fact, all those things will take a few years.

Administration after administration could only do [so much]. You know why we could only get certain things done, Madam Speaker, because of some of the same talk we hear now; *you can't do this, you can't do that, has to be just right*. Well, we want it to be just right, but facts are we are not going to get it when we need it. Some people seem to think we have all the time in the world. Maybe that's what will have to happen, will have to take five years to get it done. We need those issues addressed, but we can't wait and do them all at one time or you'll never get anything done; that's how I see it.

Madam Speaker, as I said I've heard the Deputy Leader of the Opposition talk about a plan, but I haven't seen any, I don't know of any.

Madam Speaker, the other point I want to make is that I don't come here and have never pushed for anyone to do but what is good for the country. Yes, we hear, we believe that there are investors who want higher buildings, but if we are going to allow them to develop, whether they are a local person or otherwise, then is that not allowing the widening of the footprint?

Taking up more and more land, cutting down more and more wetlands, raising the higher areas to get marl; that is what is unsustainable. If you had 100 x 100 or 200 x 200 and you go up you might save some land. That's all I've been trying to say here.

We cannot get all that everybody's been talking about one time. Yes, we had those big plan ideas of 2008; I contributed and saw certain things I wanted too, but plenty were unrealistic ideas because they never took the idea of what made us successful over the years; the kind of standard of living we had achieved. They never took into consideration how unique we were. Some of the things, *pie in the sky!* I heard my mother and some of the old teachers talking about Alla laska [UNVERIFIED] I don't know who he was, but he must have been a *pie in the sky* man. That's what it all came out to be.

Some of the things were put in place but there were grand ideas that never took what made Cayman successful into consideration. All it was, was a group of people who believed that—well, some of them because you had genuine people involved because as I said many things I believed in and some things got done—or who thought we shouldn't do anything. *Just dredge up that piece of land over there because I want my house there* and those were some of the grand ideas coming from some of those kinds of minds.

Madam Speaker, some of what we had achieved is waning. How are we able to get back to our system of a better standard of living for all, if we don't do some of these things? Do them right, yes, but you can take one and do it right. I'm not of this idea that I have to have this almighty big plan of everything before you do something. The one thing that we have to do is to talk to as many people as possible, as the Minister of Tourism has said. If anyone doesn't see, and I know we do, we see what's happening on the world stage. What is happening on the world stage, it's going to drift down to us probably this coming year.

I would say to this Administration what was told to me in 2008 when I said, *you have to cut your plan because you don't have the revenue and you're not going to have the revenue. Not on the kindest of mornings will we listen to you. Oh no, McKeever. You, McKeever? We're not listening to you.* What happened though? The whole world economy turned upside down and we were caught off guard. Let us continue to look steadily at what is happening on the world stage. We are headed for a rough time, that's my feeling from what I am seeing.

The fact is, we are losing business and we need to recognise that and push certain things like our technological industry. I don't care who it belongs to. I don't care if it belongs to Mr. Martian who lives on the moon.

[Laughter]

Hon. W. McKeever Bush: I don't care who it belongs to, as long as people get jobs and as long as we make sure that we get something out of it, because that had not been happening. They cursed me for West Bay Road, cursed me for putting down a place where they can walk through, and then they put down one and we got nothing out of it, but beat the hell out of me. I wouldn't have done that... and then I had to be the speaker for the Premier.

[Inaudible interjection]

Hon. W. McKeever Bush: Oh, you know we had to.

[Inaudible interjection]

Hon. W. McKeever Bush: Unna still beat the hell out of me.

From what I understand, planning applications have dropped significantly in the past months and from all indications of the financial situation globally, as I said, we must be worried about an economic slow-down. So if we can get some things done you better not turn them away. You better not run away people because I have said this and I'll say it again: this Island is not the only girl at the ball.

Hon. Members: Aye.

Hon. W. McKeever Bush: There are other islands with nice beaches and our crime situation as the Minister of Tourism just pointed out, is going to blow if something drastic is not done. In regards to that situation I am told by the Commissioner of Police that the Government is doing all that it can do, but they need things done through the community.

Minister, if cruise tourism is coming down and we can build up over-stay or I call them the night or hotel tourism, I wouldn't turn anything down. I would take my chance, take the *licks* and get it done. When the people get jobs, when the revenue is there, when you can give more in your budget to the elderly, the seamen and the veterans, and you can give more for school children, then people realise what you've done. As sure as they cussed about the West Bay Road they were very happy to get it. The only mistake I made, I didn't push through East-West Corridor.

An Hon. Member: I wish you had.

Hon. W. McKeever Bush: That's the mistake I made.

I thank Members for their contribution and their patience. I must tell you, I thank everyone for their patience but mine ran thin too; it did. I nearly said, *you know what, let it be*, but that's not what I'm here for. I'm here to do what we did, talk, even though it wasn't a long conference or conferences, but the fact that we could talk and push one another and get some things to where we could agree. That's what's necessary and

that's what we did. So, while our patience ran thin; and I see one, two...maybe 15 votes, that's what it takes. Thank you all very much.

Let's hope for the best for our country.

[Inaudible interjection]

Hon. W. McKeever Bush: As sure as they cursed Mr. Berkley about the port in George Town— they didn't want it in West Bay, they didn't want it in this place, he wasn't doing the right thing.

They're going to say that it was the right thing to have gotten that cruise port. You wait. Wait on time. Let's wish and hope and pray that Almighty God blesses us and saves us from ourselves.

The Speaker: The question is that the Government considers implementing a policy to increase building heights to 15 to 20 Floors.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No. 5 of 2022-2023, as amended, passed.

GOVERNMENT BUSINESS

BILLS

THIRD READINGS

SUPPLEMENTARY APPROPRIATION (JANUARY 2020 TO DECEMBER 2020) BILL, 2022

The Speaker: The Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Madam Speaker, I beg to move that the Supplementary Appropriation (January 2020 to December 2020) Bill, 2022, as amended by Finance Committee, be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Supplementary Appropriation (January 2020 to December 2020) Bill, 2022, as amended, 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 Supplementary Appropriation (January 2020 to December 2020) Bill, 2022, as amended, given a third reading and passed.

**SUPPLEMENTARY APPROPRIATION
(JANUARY 2021 TO DECEMBER 2021) BILL, 2022**

The Speaker: The Honourable Deputy Premier.

Hon. Christopher S. Saunders, Deputy Premier: Madam Speaker, I beg to move that the Supplementary Appropriation (January 2021 to December 2021) Bill, 2022 as amended by Finance Committee, be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled Supplementary Appropriation (January 2021 to December 2021) Bill, 2022 be given a third reading and passed, as amended.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Supplementary Appropriation (January 2021 to December 2021) Bill, 2022, given a third reading and passed, as amended.

ADJOURNMENT

The Speaker: Members, I call on the Honourable Premier to move the adjournment.

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

Madam Speaker, we had a significant agenda and we've been very successful in getting through all of it. I want to congratulate Members and thank them for their contribution.

Madam Speaker, before moving the adjournment I would like, on behalf of the entire House— all Members of the House— to express our appreciation for the staff of the Parliament, the contributions that they make and the assistance they provide. We want to wish them all a very Merry Christmas and a safe and happy holiday period.

Certainly, we would want to extend those same greetings to the entire country. We know it is customary at this time to express these sentiments, but the hour is late and we have had a long slog through the Business of the House. I just want to take the opportunity to express Christmas greetings to all the Members of the House, all colleagues in the House— my colleagues on the Government Bench as well as the Members of the Opposition and their families.

Madam Speaker, we've had many comments here tonight about demands from families. At the end

of the day, without the support of our families we wouldn't be able to do this job effectively. We thank them and Merry Christmas to everyone.

Madam Speaker, with that, I will formally move the adjournment of this honourable House sine die.

Thank you.

The Speaker: The question is that this House do now adjourn sine die.

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

AYES.

The Speaker: This honourable House stands adjourned sine die.

At 9.55pm the House stood adjourned sine die.