



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2013/14 SESSION

9 April 2014

*First Sitting of the Sixth Meeting
Cayman Brac*

(pages 701–752)

**Hon Juliana O'Connor-Connolly, JP, MLA
Speaker**

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PRESENT WERE:

SPEAKER

Hon Juliana Y O'Connor-Connolly, JP, MLA

MINISTERS OF THE CABINET

Hon Alden McLaughlin, MBE, JP, MLA	<i>Premier</i> , Minister of Home and Community Affairs
Hon Moses I Kirkconnell, JP, MLA	<i>Deputy Premier</i> , Minister of District Administration, Tourism and Transport
Hon D Kurt Tibbetts, OBE, JP, MLA	Minister of Planning, Lands, Agriculture, Housing and Infrastructure
Hon Osbourne V Bodden, MLA	Minister of Health, Sports, Youth and Culture
Hon Marco S Archer, MLA	Minister of Finance and Economic Development
Hon G Wayne Panton, MLA	Financial Services, Commerce and Environment
Hon Tara A Rivers, MLA	Minister of Education, Employment and Gender Affairs

EX OFFICIO MEMBERS OF THE CABINET

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

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon Anthony S Eden, OBE, JP, MLA	Deputy Speaker, First Elected Member for Bodden Town
Mr Roy McTaggart, MLA	Second Elected Member for George Town
Mr Winston C Connolly, Jr, MLA	Fifth Elected Member for George Town
Mr Joseph X Hew, MLA	Sixth Elected Member for George Town
Mr Alva H Suckoo, MLA	Fourth Elected Member for Bodden Town

OPPOSITION MEMBERS

Hon. W. McKeever Bush, OBE, JP, MLA	<i>Leader of the Opposition</i> , First Elected Member for West Bay
Mr Bernie A Bush, MLA	Third Elected Member for West Bay
Capt A Eugene Ebanks, JP, MLA	Fourth Elected Member for West Bay

INDEPENDENT MEMBERS

Mr D Ezzard Miller, JP, MLA	Elected Member for North Side
Mr V Arden McLean, JP, MLA	Elected Member for East End

OFFICIAL HANSARD REPORT
SIXTH MEETING OF THE 2013/14 SESSION
WEDNESDAY
9 APRIL 2014
10.10 AM

First Sitting in Cayman Brac

[Hon. Juliana O'Connor-Connolly, Speaker, presiding]

The Speaker: I will ask the Honourable Deputy Premier to grace us with Prayers.

VOTE OF THANKS

Hon. Moses I. Kirkconnell, Deputy Premier, First Elected Member for Cayman Brac and Little Cayman: Thank you, Madam Speaker.

Madam Speaker, before I offer the prayer, since I am one of the elected representatives for Cayman Brac, I would just like to thank you for consenting to have this session of Parliament in Cayman Brac. I would also like to offer our welcome to all of the members from Cayman Brac in the Gallery and say how pleased we are that you have the opportunity to see Parliament in session for the next couple of days. So, thank you all for attending.

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you kindly.

We would also like to say that we appreciate being here. I personally am happy to be here. I would hope we can get something done for Cayman Brac today, though. Thank you kindly.

The Speaker: Before we go any further, shall we begin with prayers?

PRAYERS

Hon. Moses I. Kirkconnell: Let us pray.

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

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

inet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

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

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

The Speaker: Please be seated.

Proceedings are resumed.

READING OF PROCLAMATION NO. 1 2014

The Clerk: "Proclamation No. 1 of 2014 by Her Excellency, Helen Kilpatrick, Companion of the Most Excellent Order of the Bath, Governor of the Cayman Islands.

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

"NOW, THEREFORE, I, Helen Kilpatrick, CB, Governor of the Cayman Islands, by virtue of the powers conferred upon me by the said section 83 (1) of the Constitution of the Cayman Islands, HEREBY PROCLAIM that the current session of the Legislative Assembly of the Cayman Islands shall be continued and held at the Aston Ruddy Civic Centre on the Island of Cayman Brac, beginning at 10 am on Wednesday the 9th day of April, 2014.

"GIVEN UNDER MY HAND AND THE PUBLIC SEAL OF THE CAYMAN ISLANDS ON THIS EIGHTH DAY OF APRIL, IN THE YEAR OF OUR LORD, TWO THOUSAND AND FOURTEEN, IN THE SIXTY-THIRD YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II."

The Speaker: I recognise the honourable Member for the district of East End.

ISSUES RAISED ON THE ISSUANCE OF THE PROCLAMATION SUMMONING A MEETING OF THE LEGISLATURE IN CAYMAN BRAC

Mr. V. Arden McLean, Member for East End: Madam Speaker, I am merely bringing this procedural matter to your attention in the interest of the legislature being held—

The Speaker: Honourable Member, may I invite you to hold the microphone? I am having some difficulty hearing you clearly.

Mr. V. Arden McLean: That poses difficulties with me holding my papers too, Madam Speaker. But I guess—

The Speaker: You're well known to be a multifaceted man, so I have every confidence that you will do quite well. Please proceed.

Mr. V. Arden McLean: I thank you, Madam Speaker, for your confidence in my abilities.

Madam Speaker, I am bringing this is out of interest and concern. We have proclamation currently running for the legislature to be held in the Island of Grand Cayman, which began on the 29th day of May 2013 in the Legislative Assembly building, and this Governor has used the sovereign authority to amend that. However, I wonder if you know, Madam Speaker, 1) whether or not this is the last Meeting of this Session; and 2), if such is the case, how will this legislature meet under emergency circumstances between now and when a new Session is appointed by proclamation?

Madam Speaker, when I thought of this and recognised that we were facing some difficulties here two days ago, and having consulted with you then, I knew that . . . I don't know whether or not we will have to proclaim . . . the Governor will have to appoint by proclamation again between now and when the Budget Session, the opening of the new Session comes about sometime in June, because this proclamation is appointing Parliament to be held here in Cayman Brac.

So, I don't know what the Government's plans are; if the House is going to be prorogued now, or if we will be operating under this one, this amendment to the Proclamation that is currently valid, or whether or not we issue another amendment to the amended Proclamation.

The Speaker: I recognise the Honourable Premier, insofar as an expression of business forward, and the Honourable Attorney General insofar as the legality

and constitutionality of the question from the Member for East End.

Honourable Premier.

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

Madam Speaker, I don't believe that there is any issue whatsoever with respect to this. To start with, I do not share the pessimism of the Member for East End about the need for any emergency meeting before the Budget Session which will start . . . at the present point we are considering the 15th May, subject to what the UK says with respect to approval of the Budget. But in the event that there was need for a meeting, I would expect that Her [Excellency], exercising the powers granted to her under section 83(1) of the Constitution, would simply issue another proclamation to call another Session of the Legislative Assembly as and where the Government indicated it would like such a Session to be held.

The Speaker: Member for East End, does that satisfy your enquiry?

Mr. V. Arden McLean: Madam Speaker, as long as the Government, that has legal advice and legal advice has been given to the Governor (we have seen that has not been very good in recent times but nevertheless), I don't know if the . . . I share my friend, the Premier's position that I am pessimistic about these things. I just like to make sure that we are ready if such comes up.

And, Madam Speaker, I want to make it clear that this is not a situation where "*I gotcha*". I'm not trying to do that. This is in the interest of this country and, in particular, because of the many laws, important amendments and new laws that we currently have for this Meeting here in Cayman Brac. And if they are not done in the proper manner we could have ourselves in some problems.

I am doing out of the interest of this country. Nobody says that the Government is perfect but, certainly, if I see something, I think I have a responsibility in this country and in this Parliament, in particular, to bring it to the Government's attention. If they have it, they have enough . . . if they have addressed it, they considered it, they got legal opinion, plus all of the seven lawyers who are on that side, then I am satisfied.

The Speaker: I recognise the Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: thank you, Madam Speaker.

Madam Speaker, I just want to concur with the observation of the Honourable Premier that there is nothing legally impermissible about the Session being held here today. The Constitution clearly provides in

section 83(1) that, “**Subject to this Constitution, the sessions of the Legislative Assembly shall be held at such places and begin at such times as the Governor may from time to time by proclamation appoint.**”

The Session is being held here today pursuant to a proclamation issued by the Governor. And the issue of what happens next when we get to Grand Cayman, or elsewhere, we will cross that bridge when we get to it. Thank you.

The Speaker: Member for East End, do you have an intervention?

Mr. V. Arden McLean: Yes, Madam Speaker.

The Speaker: Please proceed.

Mr. V. Arden McLean: I must, since the learned Attorney General has now added his voice to this.

Madam Speaker, I have the Proclamation from the 29th day of May, which was issued on the 28th day of May 2013. That says: “**NOW, THEREFORE, I, Duncan Taylor, CBE, Governor of the Cayman Islands, by virtue of the power conferred upon me by the said section 83 (1) of the Constitution of the Cayman Islands, hereby proclaim that a session of the Legislative Assembly of the Cayman Islands shall be held at the Legislative Assembly Building in George Town, in the Island of Grand Cayman, beginning at 10 am on Wednesday the 29th day of May 2013.**”

The Premier and the Attorney General are right that *today* is permissible, but it was not yesterday when it was brought to their attention.

The Speaker: I recognise the Member for North Side.

Mr. D. Ezzard Miller, Member for North Side: Thank you, Madam Speaker.

Madam Speaker, the Constitution in section 83 refers to a *Session* of the Legislative Assembly, not a *Meeting*.

It is my understanding that the Proclamation, which was just quoted by the Member for East End, was for the *Session* of the Legislative Assembly. I am wondering what legal or constitutional authority is being used to amend . . . is this an amendment to the Proclamation that was made in Grand Cayman? Or is this a proclamation for a new *Session* which is being held in Cayman Brac? And where is the termination of the *Session* that was proclaimed in Grand Cayman?

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I would direct the honourable Member’s attention to the Proclamation which he just referred to, which says, very plainly in my view: “**NOW, THERE-**

FORE, I, Helen Kilpatrick, CB, Governor of the Cayman Islands, by virtue of the powers conferred upon me by the said section 83 (1) of the Constitution of the Cayman Islands, HEREBY PROCLAIM that the current session” (that is, the *Session* that started on the 29th May) “**of the Legislative Assembly of the Cayman Islands shall be continued and held at the Aston Ratty Civic Centre on the Island of Cayman Brac, beginning at 10 am on Wednesday the 9th day of April, 2014.**”

Madam Speaker, I don’t believe it can be plainer than that. And I would urge Members to accept the Proclamation of Her Excellency and the advice of the Attorney General and allow this Meeting which the Government wishes to hold in Cayman Brac and which the Leader of the Opposition has lent his endorsement to, to start and to continue.

Please let’s not do anything further to try to pour cold water on this effort by the Government to involve Cayman Brac in the affairs of Government in the Cayman Islands, and let’s get on with the business of this House.

That is my plea, Madam Speaker, to Members on the other side who have spoken.

The Speaker: I recognise the Member for North Side.

Mr. D. Ezzard Miller: Madam Speaker, my intervention had nothing to do with whether you hold the Meeting in Cayman Brac. I don’t care if you are holding it in North Side. My concern is that it is done legally and constitutionally. This has nothing to do with because we are in Cayman Brac. My intervention is to make sure that we are doing the right thing. And I still want to know how we need to continue something that is already continued and which has not been terminated and we are not allowed to amend a proclamation without terminating and to do a new proclamation. All I am saying is that let’s make sure we do the right thing.

The Speaker: Members, we have heard the expressed legal opinion of the principal legal adviser, the Honourable Attorney General. I take it that the Premier has also concurred with that. The Governor has been the beneficiary of his expressed legal opinion and with that insight we will move to the next item of business.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: I have received no notices of apology for non-attendance or late attendance.

I should also wish, as Speaker, to express to the Honourable Premier, his Government, the Leader of the Opposition, his Members, and the Members for East End and North Side, the agreement and full con-

currence to hold this parliamentary session in the district of Cayman Brac and Little Cayman.

The last one was held in 2003 when I was Chair, so, indeed it is a distinct privilege and pleasure of mine to be Speaker again for this august and historical event.

I believe that it is good when any government takes it upon themselves to bring the Government to the people and I would wish to see parliament held in all of the electoral districts as practical and as necessary as it is. Each one has a town hall and we have a fairly good representation from all of the districts. So, as we plan the parliamentary schedule and the way forward I would ask for that to be duly considered. And, of course, it would be remiss of me [not] to say that Little Cayman is not as big but we welcome you there as well. I thank you.

Honourable Leader of the Opposition?

NOTICE OF MOTION

Standing Order 11(1) and (2)

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I wish to raise a matter that is of most importance to these Islands, and I seek to do so under Standing Order 11.

The Speaker: Please state the Standing Order, Honourable—

Hon. W. McKeeva Bush, Leader of the Opposition: Standing Order 11, Madam Speaker, which, if agreed by honourable Members, the House would, in accordance with Standing Order 11, specifically debate and resolve the very important matter that I wish to raise, and then resume its business after the resolution of that matter.

The Speaker: Honourable Leader of the Opposition, would you express briefly what that matter is so that I can make a decision as it relates to Standing Order 11(2) in exercise of the Speaker's discretion?

Hon. W. McKeeva Bush, Leader of the Opposition: Certainly, Madam Speaker.

Madam Speaker, successive administrations have struggled over the past six decades to provide an economic development catalyst to the declining economy of Cayman Brac. And tourism being the single largest sector of the economy here in this Island, the stench of the Salt Water Pond has plagued the main tourism district and has been identified as the most major ulcer on the tourism product of Cayman Brac. The Brac Development Company has proposed to develop a modern marina safe harbour—

The Speaker: Honourable Leader of the Opposition, if I could just have your attention for a moment.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes.

The Speaker: Standing Order 11(2), the first step would be for the motion to be put for the adjournment that you asked. So, I would proceed to do that at this time and then you could proceed thereafter if the motion is passed.

Hon. W. McKeeva Bush, Leader of the Opposition: Certainly, Madam Speaker. I was only elaborating to inform the Speaker as to what that matter is and to inform the House.

I would hope that the House will agree to the matter without . . . I mean, I hope, whether they agree with the matter at the end, I do hope that the House will agree for us to elaborate on it so that the House will understand what I am talking about and what I am dealing with.

The Speaker: I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I've only just been apprised of this. The Leader of the Opposition did not give any indication to me that he was proposing this, and so I am just having a chance to see what the relevant Standing Order says.

I am familiar with the Standing Order and would just draw to your attention, Madam Speaker, that the proposed motion may only be moved between two items of business. So, I believe that the Leader of the Opposition may be a little premature in proposing it at this particular point. I have no objection to the motion being moved at the appropriate time, and I am just drawing that to your attention Ma'am.

The Speaker: Honourable Premier, I believe that the Honourable Leader of the Opposition brought it between item 2 and item 3 on the Order Paper.

The Clerk: Three and four.

Hon. W. McKeeva Bush, Leader of the Opposition: Three and four.

The Speaker: Sorry. Item 3 and item 4 on today's Order Paper.

Honourable Leader of the Opposition, if you put the motion for the adjournment . . .

Mr. Premier, you had an intervention.

The Premier, Hon. Alden McLaughlin: Madam Speaker, there were no messages or announcements. There was no business. The only thing we have had so far is the reading of the Proclamation. So, my suggestion, Madam Speaker, is that we proceed with the presentation of papers and of reports and then the Leader of the Opposition may proceed with his motion to be in conformity with the relevant Standing Order.

The Speaker: Honourable Premier, I would very much like to agree with that position, but the Honourable Chair did make a statement. So, technically he is bringing it in between the order of business.

Leader of the Opposition, is there an objection to bring it later as is the request of the Honourable Premier?

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I just want to concur with your position. Our business starts with the agenda. And the agenda begins with Prayers where . . . let's say it is not a business, as such, but it is a matter that the House deals with by convention and procedure. So, I do not have a problem with that.

The third item was the 'Reading by the Honourable Speaker of Messages and Announcements'. Even though that is not one, it is a matter on the agenda before the House. Therefore, Madam Speaker, I have no problem if the Honourable Premier would agree to take the matter (I do not see the difference) and get it over with.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Sorry?

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I think I am getting it that he is saying that he does not want this matter to come at this time, but to come after item 4—'Presentation of Papers and of Reports'. Is that what the . . .

The Clerk: Five.

The Speaker: Item 5 I believe.

Hon. W. McKeeva Bush, Leader of the Opposition: So, you're going to move on to item 4 and item 5—'Statements by Honourable Members'.

Now, Madam Speaker, I don't know what the statements are. I would hope that those statements are not something to stand in the way of what I am trying to do.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: I don't see the problem of us moving forward, unless there is something that Members can tell me what the problem is. I know that the Government wants to move forward with some of its business, and I have no problem with that. The Government is the Government.

[Crosstalk]

Hon. W. McKeeva Bush, Leader of the Opposition: But how are you going to support it if you don't know what I am saying?

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Sorry?

[Inaudible interjection]

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes, I'm just having a quiet talk with the Premier who said that he's read—

The Speaker: I heard the conversation.

Hon. W. McKeeva Bush, Leader of the Opposition: He's read the crystal ball and he knows what I am going to say. But, Madam Speaker, his mind is not that good.

Madam Speaker, to bring peace and order to this House, yes, let us . . . as long as they are not going to stymie or stop me from putting the position forward that I rose to do. It is absolutely necessary. Madam Speaker, Blind Bartimeaus can see the position of Cayman Brac and this is no time for politics. That is not what I am playing. What I am doing here is to try to get something moving forward without the undue interference—and I know they know what I am talking about—of people in Grand Cayman that do not want to see anything go ahead as long as they say it can't go ahead.

No! It is time for that to stop and it is time for the Government to stand up. I will stand with the Government on any of these issues and say that the Government is right.

Thank you, Madam Speaker. I will agree with the Premier.

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I am grateful to the Leader of the Opposition.

The point is not to derail or stymie in any way what he is proposing. But the Government has an Order Paper. There is a structure to it. The Government was not apprised of this motion, and to start off the business of the House before we deal with the preliminary matters with what may turn out to be, I don't know, a controversial motion with long debate, is just not the way to start the business of the House, from our perspective.

So, I am grateful to the Leader of the Opposition. If we can proceed, Madam Speaker, to lay the

various reports and then for the statements to be made, the Government is more than happy to then entertain the motion by the Leader of the Opposition.

The Speaker: Madam Clerk.

PRESENTATION OF PAPERS AND OF REPORTS

CAYMAN MARITIME AUTHORITY ANNUAL REPORT 2012/13

The Speaker: I recognise the Honourable Minister responsible for Financial Services, Commerce and Environment.

Hon. G. Wayne Panton, Minister of Financial Services, Commerce and Environment: thank you very much, Madam Speaker.

Madam Speaker, if you would indulge me for a few seconds I would like to also recognise the significance of the Meeting here in Cayman Brac, and to say that I am very pleased to be a part of the Government that brought this Meeting to Cayman Brac. I think it is a very necessary and useful thing.

Madam Speaker, I beg to lay on the Table of this honourable House the audited financial statements of the [Maritime Authority](#) of the Cayman Islands for the year ended 30th June 2013.

The Speaker: So ordered.

Does the Honourable Minister wish to speak thereto?

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

The Speaker: Please proceed.

Hon. G. Wayne Panton: Madam Speaker, just very briefly.

The audited financial statements just tabled for the Maritime Authority of the Cayman Islands for the year ended 30 June 2013, consist of the Statement of the Financial Position, Statement of Comprehensive Income, Statement of Changes in Equity, statement of Cash Flows and the Notes to the Financial statements.

Madam Speaker, the Statement of the Financial Position of the Maritime Authority as at 30 June 2013, will show that the total assets were valued at CI\$3.584 million, and total liabilities were CI\$1.354 million, giving a total net worth of CI\$2.230 million.

The Statement of Comprehensive Income will show that the Maritime Authority reported and closed for the 12 months ending 30 June 2013, a loss of CI\$377,717.

The Statement of Cash Flows shows that the net cash and cash equivalent, as at 30 June 2013, was \$0.945 million.

Madam Speaker, the Auditor General has issued an unqualified opinion on the financial statements of the Maritime Authority, as at 30 June 2013, and, of course, Madam Speaker, that means he has issued what we would typically refer to as a 'clean opinion.' He feels that the financial statements are fairly presented in all material respects.

In conclusion, Madam Speaker, and on a personal note, I would like to thank the Chairman and the Board of Directors for the Maritime Authority, along with the Managing Director and his management team, and the entire staff of the Cayman Islands Maritime Authority, for their professionalism and steadfast service to the Cayman Islands.

I thank you, Madam Speaker.

MOTION TO REJECT CAYMAN MARITIME AU- THORITY REPORT 2012/13

Standing Order 24(9)(a)

Mr. D. Ezzard Miller, Member for North Side: Madam Speaker.

The Speaker: Member for North Side.

Mr. D. Ezzard Miller: In accordance with Standing Order 24(9)(a), I wish to move a motion that the Cayman Maritime Report be rejected.

The Speaker: Could you please repeat the Standing Order, Member?

Mr. D. Ezzard Miller: I think it is Standing Order 24(9)(a).

The Speaker: Thank you.

Standing Order 24(9)(a) reads as follows: **"The following motions may be made without notice – (a) that a petition or other paper do lie on the Table, be printed or be rejected;"**

The Member is asking that a motion be put in that respect. Would you formally wish to put the motion?

Mr. D. Ezzard Miller: Yes, Madam Speaker, and I would like to be given the opportunity to explain why.

The Speaker: You have.

I would understand that you have a seconder as well?

Member for East End.

Mr. V. Arden McLean: Thank you, Madam Speaker. I wish to second the motion that the Member for North Side is presenting.

The Speaker: Member for North Side.

Mr. D. Ezzard Miller: Thank you, Madam Speaker.

Madam Speaker, for some time now I have noticed a continuing trend by this Cayman Maritime Authority in that it consistently loses money and the Minister, in his brief remarks concerning the report, did mention the loss but he gave no expressions of concern or commitment to correct it.

Madam Speaker, the reports of this Authority for the last five years are exceedingly troubling to me. I went through the reports starting in 2009, 2010, 2011, 2012, 2013 and every year the Authority has lost money on expenses over income.

Madam Speaker, as I recall, this Shipping Registry (as it was called) was originally established in the late 80s, early 90s, the purpose of setting up the ship registry was to contribute to government's revenue. The first alarming thing on previous reports is that neither in the vision of the Authority nor its mission statement is contributing to government revenue mentioned. And when we look at the volume of the consistent losses, one has to wonder why this Authority continues to function.

Madam Speaker, over that five-year period, starting in 2009 and ending in this 2013 report, this Authority has generated \$43.2 million in revenue but managed to spend \$44.5 million, representing a lost to government of \$1.3 million. And if we take out what they frame in their accounts as revenue from government—which I would think is a subsidy—of [\$]5.8 million, that total loss skyrockets to [\$]7.1 million over that five-year period of which I reviewed.

Now, Madam Speaker, in going through these reports and discovering this consistent loss, my attention was really drawn to the fact that the loss this year is more than double what the loss was last year, in spite of this Authority moving into the Government Administration Building and saving money on rent. I think there are five months of reduced rent, or no rent at all, reflected in this report.

And, Madam Speaker, I believe all Members of this House should be concerned and alarmed at this continuing trend. And it forces me to ask myself what are the functions, purposes, duties or responsibilities of the Ministry, the board and the managing director if we are just going to ignore the fact that this Authority is losing money, and whether we are going to accept that if they double the loss next year. . . because the loss has been up to over [\$]400,000 in 2010. And we are just simply going to accept the fact that we allow this Authority to send this report down here, we table it to meet some legal requirements so that we can say we tabled it and nobody in parliament reads it or nobody is concerned about it.

I see our role as the watchdog over these authorities. And if the purpose for which they were established was to contribute dividends or profit to government and they are not doing it, then there needs to be an evaluation of what is going on. Because, Madam Speaker, this report came through the ranks. It was approved by their board. I trust that it was ap-

proved by Cabinet for tabling, and, obviously, no questions have been asked. Everybody seems to be shocked with the look on their faces that we have lost over \$7 million by this Authority in five years.

Madam Speaker, I decided to look to see if I could find some of the causes that I believe could be responsible for this. When we look at this report we see that the executive management team is being paid salaries in excess of \$476,000. We see that they have a staff of 50 persons in this Authority to manage only 1,966 ships.

We see that while they are generating [\$]8.1 million—so we can't blame this loss on the financial meltdown for the world . . . because if you look at the previous reports, in 2009 the revenue was [\$]8.4 million; 2010 it was [\$]8.2 [million]; 2011 it was [\$]8.8 [million]; 2012 it was [\$]8.7 [million]; 2013 it was [\$]8.8 [million]. So, the revenue has been increasing but expenditure went from [\$]8.4 [million] in 2009 to [\$]9.2 [million] in 2013.

We see that even though they are losing money, they are spending over \$600,000 on travel, business development and entertainment. The personnel cost, plus travel, business development and entertainment, consumes more than 60 per cent of the revenue earned.

Now, Madam Speaker, when we contrast that performance to a government department, such as the Central Registry, we see that we have a staff of 42 managing 95,000-plus active companies; 18,000-plus that are trust; 14,000-plus partnerships; 100,000 in public records and documents, and this year it looks like they are expected to contribute over \$200 million to government revenue.

Again, we see that the executive management team of Registry is paid about \$280,000, substantially less than the management team for this Cayman Maritime Authority. Yet we have a substantially less numbers of staff managing a portfolio of business that is over hundreds of thousands more things to do.

But then, Madam Speaker, the scenario gets worse, because if we look in the *Caymanian Compass* of Monday 20th January, there is an ad in there by this same Authority for a head of finance with a salary from CI\$78,000 to CI\$102,000—obviously, approved by the current board of directors. Even though the company is losing money and lost twice as much money this year as it lost last year, they are going out and hiring more staff and they already have 50 staff members, and we know that they already have accountants employed in this Authority. So, it is not a situation where they do not have any expertise or skills in accounting. We know they have those on staff already.

Then, Madam Speaker, I understand that the Board has approved this Authority shifting their health insurance from CINICO to a private insurance company which is going to cost the Authority some \$85,000 plus in revenue in additional cost for this financial

year. Now, Madam Speaker, this Board that is managing this Authority, and this Ministry, have to take control of the situation. And the only inference I have is to ask the Parliament to reject this report and ask the Minister to bring back a report that contains an addendum to this report that lays out how the Ministry, the Board and this expensive management team are going to turn this Authority around and return it to profitability and pay money into government.

So, Madam Speaker, I am asking the Members of Parliament to support the Motion to reject this report and have it brought back with an appropriate addendum addressing these concerns that I have, which I believe the other Members will have similar concerns.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]—last call . . . I recognise the Honourable Minister responsible for Financial Services.

Hon. G. Wayne Panton, Minister of Financial Services, Commerce and Environment: Thank you very much, Madam Speaker.

Madam Speaker, firstly, let me say that I understand the concerns of the Member for North Side regarding the conclusions and indications of the financial statements for the Maritime Authority.

This report, these financial statements, refers to the period ending June 30, 2013. These are not financial statements that reflect a financial period within which this Government has certainly had the ability to contribute to managing the issue. I do not feel that some of the analogies that have been drawn are accurate and appropriate to indicate some significant failing on the part of the Maritime Authority for several reasons, Madam Speaker.

The Maritime Authority contrasted, for example, with the General Registry, is really an apples and oranges comparison. The Maritime Authority deals with regulation and the Maritime Ship Registry of the Cayman Islands, which has been in place since 1903. It has been a significant part of our history. These regulations, by nature, particularly in the shipping industry which involves inherent issues of risks that I know the people of this country, the seamen of this country, all fully understand the risks that are involved to life and limb and cargo with shipping at sea. The regulation is important and it is very technical in many respects.

I am not trying to demean or belittle some of the technical aspects involved with the various functions and roles that the General Registry performs, but I simply say this to make the point that it is not simply analogous just to say because one department has a very significant profit and another one has a small loss, that there is a tremendous failure with the management of the Maritime Authority.

I have not had an opportunity to go through and check the numbers that the Member for North Side has referred to in terms of the aggregate losses over the period to which he referred. He may well be correct. However, I am aware that part of the reason over the last two years for some of these losses has been the fact that outputs (that is, work performed by the Maritime Authority on behalf of the Cayman Islands Government) have been reduced. The level of outputs has been . . . well, let me put it another way: The Government has purchased fewer outputs in the sense that the price for those outputs has been reduced. It purchased fewer outputs, therefore . . . and I think perhaps this is what the Member refers to in terms of a subsidy. It is not, in my view, correct to regard it as a subsidy.

There are roles that the Maritime Authority of the Cayman Islands performs which are performed on behalf of the Cayman Islands Government. There are obligations and responsibilities which the Cayman Islands Government has, for example, in relation to ports take-control issues; the inspection and supervision of vessels that are entering the port of George Town or any other port in this country. The Maritime Authority is the only entity that we have in this country that is able to consistently perform those functions and those functions are therefore purchased as outputs from the Maritime Authority.

The level of those outputs has been reduced somewhat and that has contributed . . . and I think that is reflected in a loss last year and this year. Sorry, that is reflected in the loss for June 30, 2013, of [\$]377[,000]. The loss that we project is probably going to a loss for the current financial year, but we project it is going to be less than the loss for the previous financial year of June 30, 2013.

In addition, going forward, some is revenue which should normally be regarded as entity revenue (that is revenue for the Maritime Authority) that is currently collected by the Cayman Islands Government, will be assigned to the Maritime Authority. So, their revenue numbers will increase. And using those numbers, theoretically it should reduce any loss that is projected for this year by as much as perhaps [\$]100,000.

Over and above all of that, Madam Speaker, the role that the Maritime Authority plays, the Shipping Registry plays in this country, is to provide substance to an industry that has a lot of indirect benefits for the country as well. There are lots of Cayman Islands companies, for example, that are utilised to own and take title to the very same yachts and the very same commercial vessels that are registered on this Register. There are other indirect benefits in the form of mortgage registration fees. There's advice, professional services, professional advice given in respect of the ship mortgage registrations. There is legal opinion work.

So, Madam Speaker, I mention that simply to say that there is a tremendous indirect benefit that the Shipping Registry and the Maritime Authority provides to our financial services industry and perhaps even broader into some of the general economy. So, it is not appropriate to suggest that you can simply look at the value of the Maritime Authority from the perspective of a loss of [\$]377,000 for June 30, 2013, and an accumulated loss over the prior years, because the indirect values could be considerably greater.

Madam Speaker, I would also point out one of the points made by the Member for North Side in relation to the cost of the Maritime Authority, is that they had moved into the Government Building; a move which was accomplished in the last year. These moves are sometimes not accomplished without some cost being carried over. For example, there will be in this financial year some costs associated with a continuing obligation for a short period of time in respect of rent. I make that point simply for the benefit of the Member when he looks at it at the next financial statement. That is not specifically relevant to the one that he has asked this honourable House to reject at this point.

And just for clarity, Madam Speaker, the carryover of the cost currently will simply be because there is a mismatch between when they vacated the previous premises they were in (I think it was Strathvale House) and came into the Government Building, their lease on Strathvale House had not ended at that point.

Madam Speaker, I find it hard . . . I mean, obviously, the Member has raised this issue at this point with no notice, so it is difficult to go into a great deal of detail in responding. But I have not heard from him any compelling reasons why this honourable House should reject the filing and the tabling of this annual report which was, again, under the previous Government and not the current Government.

The financial position and the improvement of the financial position of the Maritime Authority are things that do concern this Government and are being addressed, both specifically in terms of strategies that can be taken to improve the financial performance of the Maritime Authority, even though we recognise the broader and direct benefits that it brings. But also in a broader sense, Madam Speaker, actions are being taken and strategies are being developed to review all of the authorities, and perhaps government companies, of the Cayman Islands Government, to ascertain whether there are any benefits, for example, to consolidating some of these, or perhaps whether they can be brought back into central government as an operating entity to assist in some respects to reducing costs through consolidation of services.

Madam Speaker, as I've said, I do not see the benefit of this honourable House rejecting these financial statements in this report. I do not think the Member is suggesting that there are any glaring inac-

curacies in this statement, or that there are any misstatements being made in terms of the report. In future reports, I am certain that we will have indications of actions that are being taken to address the loss-making position with the Maritime Authority. And, indeed, I think the country and this honourable House will also see and hear of other actions that are being taken in a much broader sense to address issues of the financial position and operating cost of authorities and government companies from a broader perspective.

Madam Speaker, I think I have probably exhausted all that I can say at this point in relation to the Member's Motion, other than to simply confirm that the Government does not accept that the Motion has merit and will not be supporting it.

The Speaker: Does any other Member wish to speak?

I recognise the Member for the district of North Side.

Hon. W. McKeever Bush, Leader of the Opposition: East End.

The Speaker: Sorry, the district of East End.

Mr. V. Arden McLean, Member for East End: Thank you, Madam Speaker.

Madam Speaker, I knew that was a slip on your part, but, you know, I am even smaller than him too, Madam Speaker.

The Speaker: That is a Freudian slip based on the obvious observation that you spend a lot of time in the district of North Side as well.

Mr. V. Arden McLean: Yes, I know, but we're not joined at the hips, not yet. I'll make sure we don't.

Madam Speaker, I had no intention of speaking on this, because I believe what the Member for North Side was asking for was a rejection of this to be brought back with clear indications as to what the Government's intentions are. I appreciate that the Government had only been in office . . . both of us appreciate that the Government had only been in office six weeks (less than six weeks) when this report was put together for the year ending 30th June 2013.

I think I should point out to the Minister, though, that when he said . . . I'll leave that for a bit. So, I did not have much intention of speaking but, Madam Speaker, I would wish to bring to the attention of my honourable colleagues that . . . when I look around this room I can only see maybe two of us that ever went to sea. And I was one of those. So, I think it is only fitting that I speak on it briefly.

Madam Speaker, in doing my marine engineering . . . and I'm sure there are many in this audience who have been there and will know what I am

talking about. One of the things you have to do is understand about registration of ships—not necessarily the processes, but where they are registered. The captains have much more responsibility in that regard. Now, Madam Speaker, when I was going to sea way back when, Liberia was the port that was the choice of registry for non-American commercial shipping. And then we had other places of registry in Europe like the Norwegian Registry and the likes.

But for those of us from Cayman who went to sea, we were registered under the Liberian Flag. And, whilst that was in many instances considered one of the rogue registries in the world, it certainly fed the Liberian people. That is my objective of speaking here. In many instances, Liberia had hundreds, thousands, of ships registered in the heyday of the commercial shipping. And, Madam Speaker, it was a source of revenue and a contributor to the GDP [Gross Domestic Product] of the country of Liberia.

Now, Madam Speaker, I have memory of [those of] us who travelled to the Persian Gulf on many instances (and, yes, Madam Speaker, I was a young little fellow at that time) having to stop into Liberia every so often to check in with our registry. And the people would come aboard and do the necessary to confirm that we were compliant with our registration. Of course, we know Ludwig [PHONETIC] did that to avoid having to pay the America monies. Madam Speaker, our registry is not of the same sort of “rogue registry”, and I am not calling it a rogue registry that Liberia continues to have to this day. But the objective here is that the shipping registry must be able to contribute more to a country in direct contributions, such as to lawyers, to accountants. That is all part of it. The Minister talked about legal advice and indirect . . . provide subsidy to other areas when people come ashore.

Well, I am sure a little later in this sitting, Madam Speaker, we will hear more about how ships and boats can contribute and provide subsidy in other areas right here in Cayman Brac too. I am positive we will hear that. Won't we? So, I hope on one hand we are not saying it and then on the other hand we do something different. And I have to watch how we say “on one hand and then on the other” because a lawyer recently told me that a man was searching for a one-handed lawyer and when he was asked why he said, *Well, I guess I will pay half of the price because every time I go to get advice it is “on one hand or on the other hand”.*

[Laughter]

Mr. V. Arden McLean: Madam Speaker, so if he got the one-handed lawyer he would have paid half the price you see.

Madam Speaker, let me get back to what I said I would speak of later, wherein the Minister said in response to the presentation by the Member for

North Side that the Maritime Authority had only moved to the Government Building this year. Well, the report says that they moved in February 2013 and they said that it facilitated significant rental savings.

Madam Speaker, I do not think this is about us trying to catch the Government out. I think it is about us trying to ensure that these authorities give us what we hoped they would when they were created. We have too many of them now. We have the Turtle Farm that is dragging us down. I see where we have to approve indemnity for Cayman Airways' Board of Directors—[\$]23 million this year again.

We cannot provide for our people, our children, our schools. We constantly have to support these things. And if they are not managed properly, I too say, *get rid of them*. Pedro Castle—we constantly pump money into it. You know what my position was with the Turtle Farm—*give it away*. We are now subsidising it by \$9 million. We are paying \$5 million in bank payments—that is \$4 million we can put on education.

Madam Speaker, we need to keep a close eye on these authorities, in many instances, Madam Speaker. And I don't mean to be disrespectful, I don't want to point any fingers at any one in particular—they are a runaway money train. And we, the legislators, continue to endorse and take the blame!

The Speaker: Member, please try to keep your arguments specific to the issue at hand.

Mr. V. Arden McLean: Thank you, Madam Speaker, but I had to try and get that little one in there because that is my fear of what will happen with all authorities, not this one in particular.

Madam Speaker, the Minister in his response on behalf of the Government said that future reports will reflect action being taken by this Government. Madam Speaker, what we want—like the Minister, but more so us—on behalf of the people of this country, is to see action now. We want to hear what those plans are now.

How are you going to stop somebody swimming across the river when he is already midway across it? You got him now; tell him how to get to the other side. That is what we want. We want to see how so that this Authority does not become a millstone around our necks like what the others have become.

How can three people be making nearly \$500,000? Wow! I'm not saying this Government was responsible for it, Madam Speaker. That reminds me of the 500 companies, or at least the 100 companies. I had the benefit of this as well.

Madam Speaker, in 2003 the Registry had 1,500 ships. In 2013 it only has 1,966. How much is that?

[Inaudible interjection]

Mr. V. Arden McLean: Four hundred and sixty-six more ships which are spending three quarters of \$800,000. And I am calling on the Minister of Finance to tell me what three quarters of that is (\$8 million). That is about \$6 million. And then the Premier said recently that he is expanding that to get more ships. How much will we be spending?

Madam Speaker, I am not trying to go at the Government. I am trying to bring to their attention that we need to pay closer attention. How many staff are here? Thirty? Where are the other 20? Do we have them on contract as inspectors? Because, Madam Speaker, I know what inspectors are. Your Flag provides inspectors, ABS provides inspectors. And when there is a new ship coming out you have to engage inspectors to go and see that it is seaworthy. You have to do all of those things.

Madam Speaker, since I have been a Member of this Parliament I have called for more Caymanians to be involved. Cayman Brac has produced more captains per capita than any place else in the world. No place in the world has produced more captains than Cayman Brac and Little Cayman. I don't see either one of them being used. Are they retired?

This is the time they have some knowledge that we can utilise. Send them somewhere else to go and do some work and inspect some ships. Nothing but engineers . . . Cayman Brac has produced the youngest engineers ever that have sailed the Seven Seas. And everybody got has an expression their face today that they do not know who I am talking about—Bussie!

[Inaudible interjection]

Mr. V. Arden McLean: Chief Engineer, yes. Ever! And then the second youngest was from Savannah.

[Inaudible interjections]

An Hon. Member: Andrew.

Mr. V. Arden McLean: Andrew Eden.

[Inaudible interjection]

Mr. V. Arden McLean: Why do you think Bussie is so successful in business?

[Inaudible interjection]

Mr. V. Arden McLean: That's from Cayman Brac. Those are from Grand Cayman.

I can't claim such kudos. I was about the second or third youngest third engineer. But these guys were chief engineers when they were in their 20s with two to three hundred million dollars-worth of cargo on their ships. Madam Speaker, Caymanians can do it.

I don't know how the Maritime Authority is being operated on a day to day basis. But I hope we are not hiring these people and they are on staff and we are lumping them into staff. I hope they are consultants because you can pick up and inspector approved by ABS and all of the other regulatory authorities and Lloyds of London. Wherever you go in the world you have them lined up as consultancy.

Madam Speaker, you know that Minister of Financial Services really thinks it is only him who knows, you know. And he gets into these little frenzies and behaviours that dismiss what others say, you know. Not everybody who is a lawyer has the knowledge of everything, you know. But that is your right to challenge you nah, oh yeah. I ain't worried about that. You know that. But not because you are lawyer you know everything. I have my experiences too. And I have a right to speak as a Member of this Parliament—duly elected, the same way as the other 17.

Madam Speaker, let me sit down before I get too many peoples' nickers in a bunch in this Parliament—something that I am always accused of doing but seems like I like to get myself in trouble.

Madam Speaker, I think the intent here today is to say let's find out what, and why. And, Madam Speaker, there may be a legitimate reason why the Maritime Authority lost [\$]49,000 in 2009; [\$]404,416 in 2010; [\$]298,638 in 2011; \$156,492 in 2012, and \$377,717, like the Minister said, in 2013. There may be a good legitimate reason but we need to know. We need to look at it. We need to ensure that this is not going to continue and extend as a bleed into this country. Yes, the Auditor General unqualified a certificate of authenticity . . . and sure.

Mr. D. Ezzard Miller: He just added up the numbers.

Mr. V. Arden McLean: He added up the numbers. He nah business with where the money is being spent if it is accounted for. That's all he is saying; that the money is accounted for. We, as managers, need to ensure that it is value for money. That's all, Madam Speaker.

So, the Government should not take this as criticism. It should be for them to look at this and see what we can do if there is something wrong, if we need to use a different method, a different way of trying to ensure that we are doing the best possible so that this Maritime Authority . . . because there is a lot of potential in it, Madam Speaker. And I am sure the Government has the ability to do that unlike how they think others do not have ability. Anyway, thank you, Madam Speaker.

The Speaker: I recognise the Honourable Minister responsible for Planning.

Hon. D. Kurt Tibbetts, Minister of Planning, Agriculture, Housing and Infrastructure: Thank you, Madam Speaker.

Madam Speaker, I shan't be very long. But I just want to bring the debate into the context of the Motion, which, in general terms, as I understand the Member for North Side, is seeking for this report to be rejected and for it to be brought back stating a list of things of what remedial action is being undertaken by the Government to make the losses acceptable or to bring it to a breakeven or a plus position.

But the difficulty in the process that is being asked for, Madam Speaker, by the Member for North Side . . . before I say about that difficulty, we all understand, and I want the Members here and the public to understand that the Government fully appreciates the difficulties with several of the public authorities that exist. Some of the points have been raised by those who have spoken before and we are very conscious of the situation.

The fact of the matter is that a Public Authorities Law is eminent. And I am certain that while it will receive some pushback from certain corners, the elected Members of this Legislative Assembly will appreciate the need for it and for the way forward whenever that is decided or as quickly as that can be decided, as has been mentioned by the Minister of Financial Services with regard to whether they should remain as they are, whether they should be brought back into central government or whether they should take some other shape or form. Those are matters which have to be discussed.

The difficulty with what is being asked of us here [is that] this report is as of the 30th June 2013—not a day later. So, I would hope that the Member for North Side can appreciate that to accomplish what he is asking for . . . the success of the Motion thus far has been that the situation is aired and people recognise—and there is no difficulty with that. But to take this report back, which ends 30 June 2013, and then to add to it what will be in the report ending 2014 by the Minister, is just not the way it works.

So, the Minister, I am sure, can easily give a commitment and say in the reporting ending 30 June 2014, will be outlined the plans for the various actions to be taken to bring the Maritime Authority of the Cayman Islands into a situation that is more acceptable financially. That can easily be done, and I am sure the Minister would have no difficulty with that.

Correct Minister?

I am sure the Minister would have no difficulty with that. I am only saying that rather than us be battling about taking this Motion back, let's just understand that, practically speaking, it is for us . . . because in doing so we would latch that onto our responsibility. So, the Member for North Side may not accept that, but what he can accept is that those things he is seeking are matters which the Government is very conscious of and will be dealing with, and

I am only saying the few things I am saying, Madam Speaker, to explain to him why it is not a situation where the Government can accept his Motion. Thank you.

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you very much, Madam Speaker.

Madam Speaker, I tried very hard to stay out of this debate. I wanted to listen to where everyone was concerned. I do have to agree with matters raised on both sides. The Government can't rise unless they say it was their fault. It seems to be the by-word. And though the Minister of Works didn't get into that, but the Minister for Financial Services never fails. I don't know if he is coached by anybody, but he never fails to point fingers in the other direction. They better stop that, Madam Speaker. One pointing in the other direction, four (if they have five fingers) point back at themselves.

Madam Speaker, what I want to say to them and to him, just in case he didn't do his homework and did not figure, that that matter, that registry, was in operation in 2005 to 2009. So, if it is losing money, it must be something more foundational rather than which Government is in office. Stop that, and really go and check to see what the problem is, if there is a problem.

Madam Speaker, those of us who will remember, the Registry went into an Authority between 2001 and 2005. And we all know why that happened. We are not fool-fool here. We all know too that our shipping registry is overshadowed by the United Kingdom. And I would daresay our regulations are based widely on their shipping registry. And certainly, they have a large hand in calling the shots. The fact is, though, our registry does have some credibility as a registry. I don't know, and I have posed this question often, why can't our own people be the ones? Our expertise, as the Member for East End pointed out . . . why not?

This goes way back you know. The late National Hero, the Honourable Jim Boddan, fought to get our own registry. When they told him we could not do it we had to go under the UK's. And so our registry is guided by that. Certainly, when we were a small department, yes, we did not have the wide expense that we do and we were not losing the money, I don't believe. Now we have 50 staff when they went into an Authority. And so, as I said, in having to comply with all of the regulations that the UK puts forward, even though they can stop us in our shipping efforts, does not help us at all.

I am not going to go any further, Madam Speaker, because you will hear that I am anti-UK and I want independence. That is what you will hear. But the facts are the facts, and it cannot be muddied by some things which are being said. So, for one and all, let them understand that.

Madam Speaker, I cannot sit without replying somewhat to what was said in regards to the Turtle Farm. I hear that quite often, Madam Speaker, of the Turtle Farm being in the district of West Bay but a national product. It is no *feyah-feyah* project. It has significant meaning to this country. Many countries that are in competition with us around the region would hope to have such a product as what we have. And we went from one end to the next.

Remember we were on one side of the road, a small hole and a small operation and the forces of nature and the hurricanes mashed it up, and then that was what took us. We lost quite a bit of our herd and that is where we are at now. For those who do not know history or do not care to remember history, that is why we are where we are at. But I do not believe that closing Cayman Turtle Farm is what is needed. I believe that what needs to be done is to do the proposal for the Farm's new development, as it is, and that is to build the jetty there. One cruise ship per day or less will do the job. That is why I supported the re-development that we would build a jetty there to take the passengers immediately.

Now, if we close it, we still have to pay the loan. If we close it, then what happens to the hundred staff? They go on social services for a time until they get work and we don't know what the future holds for us. So, I know it is easier to say that, it is easy to get aggravated with what we find as legislators and when we are impacted by people all around us, some who are accountants and some who are lawyers and some who just know it all, they are the ones that will pounce on us and say, *as legislators you need to close this down*. It is much easier said than done.

So, Madam Speaker, while I am in agreement with some of what has been said by both sides, I am not in full agreement because I cannot agree with those remarks about the Turtle Farm. Yes, good management is what is always needed all around, and I believe that we are on the road with the management we have. Much work needs to be done, support given to it; other things that I think government can do to help.

The cruise association they play games with us. And it is important, Madam Speaker. It is far off the track somewhat from the shipping registry matter but it was raised. And too often things are said in this legislature and it becomes . . . because the newspapers pick it up or those online pick it up and it becomes what internationally people believe is the correct thing without knowing the other side. And so when people are allowed to say something, there needs to be a rebuttal and that is what debate is, eh?

So, I thank you, Madam Speaker, for your indulgence to get those points across. And I don't believe that my friend from East End really means that when he says that he would like to see it closed anyway. I don't think he means that at all. But in debating this matter of the registry and salaries for authorities,

as I said, I've been there one time, twice. This Government has been there once and they got a second term. It can't be all because of who is in Government. No. Because you can tell the differences that things have been made and gains have been made on both sides on both years. It has to be something other than that and that is what the Minister needs to pay attention to, rather than pointing his ten fingers one time.

The Speaker: I recognise the Honourable Member for the district of Bodden Town, the First Elected Member.

Hon. Anthony S. Eden, Deputy Speaker, First Elected Member for Bodden Town: Thank you, Madam Speaker.

It is indeed a privilege to be here in the Brac, and I don't want this to be drawn out. The Motion which is on the floor of the House, most of my feelings on this were echoed by the Honourable Minister of Planning in which he indicated the perceived difficulty of going back to changing the Cayman Maritime Annual Report, 2012/13. And there is no doubt in my mind that my colleague for Bodden Town, the Minister of [Financial Services] will deal with this. And I perceive and see that he will bring what is necessary.

On the other hand, the Member for North Side has brought to our attention the problem that is existing. And we cannot continue, Madam Speaker, to put our heads in the sand and not realise what is happening.

I understand the feelings of the Leader of the Opposition toward the Turtle Farm, and I will just stick to one of those. Madam Speaker, we have seen the amount of money that has been lost in that thing. And I am not advocating that we close it. But we need to find out how to manage, how to structure. Because the path we are on now, if we live as long as Methusalem's ram-cat, we cannot get out of the debt that is incurring yearly on us.

I was relieved . . . and my colleague, the Minister of Planning, he and I have been in here 22 years. We've talked about these authorities. We have talked until I don't know for what reason, but I know this Government is talking about bringing in the Public Authorities Law. It must come quickly because we cannot continue. There is no reason that you can tell me, Madam Speaker, why some of these . . . even if we have to take \$15 million to \$20 million, bring these back under government, get the right people to run them and stop paying out all of this money. Every time we turn around we are subsidising them. It does not make economic sense!

So, Madam Speaker, I know as a Government we can work together and do the right thing on this. And not only is it the Maritime Authority that needs to be sorted out. No doubt in my mind that my Minister colleague for Bodden Town will deal with that, and I look forward to his suggestive improvement. Because

there is no doubt in the culture of the Cayman Islands how important shipping has been, will be, and can be, as I have heard advocated in caucus at different times. We just need to get our act together, Madam Speaker. Thank you.

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

I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, thank you very much.

Madam Speaker, this debate has gone on, I think, longer than any of us anticipated it would. But I just wish to add a few things and to confirm, or to consolidate, some of the remarks that have been made by Members and Ministers on this side.

The Cayman Maritime Authority, Madam Speaker, has evolved from what was the old Shipping Registry. And we have had a shipping registry in one form or another in the Cayman Islands for more than 100 years. I do believe it is a useful component of the overall financial services architecture of these Islands, and, that it does bring, in addition to direct fees and revenue, a number of other consequential pieces of business—for instance, the companies that are often used to hold and own the various ships and so forth.

But the big issue about its overall viability or profitability has to do with its need to reach critical mass, and that is in terms of overall tonnage—something that I know they are working keenly on. The registry, currently, is principally used for the registration of the super yachts. It needs to be expanded. Its attractiveness needs to be expanded to also allow it to include commercial ships because that is where the real tonnage is, and tonnage is what we are able to charge on. And I know that that is something which is currently the focus of the Maritime Authority.

The issue of its loss over the course of the past four, five or six years is really not something that can be properly laid at the feet of this Administration. This report goes back to June 30, 2013. But I do think that there is some merit in what the Leader of the Opposition has said, in that they are foundational issues which do not help to improve the overall profitability of the operation. We need to focus on those and we need to work on those.

But I agree with what has been said from this side, particularly by the Minister of Planning, that the right course is not to reject the report, which is indeed a financial report setting out what is the profit and loss of the Cayman Maritime Authority is for the period ended 30 June, 2013. There is no point in rejecting that. What I think is instructive and what has been useful about this debate today is that issues about concern of the overall profitability of this Authority, but authorities generally, is something that all of us in Government (“Government” being defined in the

broadest possible sense to include all of us who are here) have to consider and think about.

Members have said that the Government is considering a Public Authorities Bill. In fact, the draft of the Bill is way down the road to actually being able to be brought to Cabinet to be approved to become a Bill and circulated to Members. This is something that has been talked about for many years and no government in the past has had the courage to actually do it because of the pushback that has been received from many of those involved in the public authorities.

The issue was certainly brought when the PPM was in Government from 2005 to 2009 and it never got beyond the discussion stage—again, because of pushback by many of those involved in the public authorities. Madam Speaker, unless I lose the support of the Members on this side, I am saying to you that we are going to press ahead with it. At present, all Members indicate that they do support the Bill. So, we are going to press ahead with that.

The other bit, Madam Speaker, that everybody talks about, but when it is actually presented they are few who are prepared to bell the cat, and that is the issue of privatisation of a number of . . . not just the statutory authorities and government owned companies, but a whole range of services that government currently provides, which, in my view, ought properly to be within the province of the private sector. That is something that this Administration is also working keenly on.

I do hope that those on the other side who appear to be keen that Government restricts and restrains its expenditure, will continue in that vein and will not change course when some of the sacred cows are put up for auction, because that is inevitable, I believe, in the context of all of this.

I do say, though, Madam Speaker, that while I hear the Member for East End talking about Cayman Airways and so forth, Cayman Airways is not one of the areas that the Government is considering selling off—not at this stage.

And so, Madam Speaker, with those few remarks, I hope I am able to round out the very useful debate this morning on this important issue and that we can proceed very shortly to put the Motion to the vote.

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

If no other Member wishes to speak, does the mover wish to exercise his right of reply?

Member for North Side, please proceed.

Mr. D. Ezzard Miller: Thank you, Madam Speaker.

Madam Speaker, the Government needs to stop crying ‘wolf’. In my asking that this report be rejected I laid no blame on any government about what

was in this report. What I said was that it is time for the Government—including myself because while I am not part of the executive, I am a part of this Parliament—to draw the line in the sand for these authorities. We have to send a message.

I am really disappointed that the Government is not willing to accept this opportunity to send such a message to these authorities by rejecting this report and sending it back for the board of this Authority to tell us how they are going to correct the situation. And, Madam Speaker, it is not untimely. These accounts are up to June 2013. The time to correct what is wrong is during the next financial year.

The country cannot afford to give up one or two years to wait for corrective action. All I am asking is for parliament to send a message to these authorities, reject this report, and bring it back in the Budget Session with an addendum from the current board of directors on how they are going to address this loss in this authority.

Now, Madam Speaker, the Minister of Financial Services questioned the accuracy and other things of the numbers I had put out. But I do not think he read this report because had he read the report, he would have clearly seen that in the report it states that they moved into the Government Administration Building in January 2013 and they claimed savings for the financial year. But it did not reduce the loss; the loss doubled.

So, Madam Speaker, the message that we need to send to all of these authorities so that we will reduce their willingness to pushback when we bring this overarching legislation that the Premier just talked about . . . because it is them. It is the authorities that believe they have the muscle to prevent the Members of parliament from doing the right thing, and they have been successful, so far, in preventing that same piece of legislation from coming since 2007 when the PPM Government wanted to bring it. Because every time they send a report down here, we pass it through the process, we make no comment on it—we endorse the wrong that they are doing and we accept it. And it is time to stop.

Now, Madam Speaker, the Minister of Financial Services should really not have ventured down to talk about what a contribution this Authority is and what respect it shows to Caymanian seamen, because it shows absolutely none. I know of eminently qualified Caymanian Captains who have applied for positions in this Authority and have been turned down. And half a page of this report is dedicated to thanking a captain from India who has been working in this department since 1995 licensing Caymanian Captains. And the Caymanian Captains who apply to him to be licensed are eminently more qualified than he ever was! We have to stop allowing . . .

And when you look, Madam Speaker, at the makeup of the directors, you know, Madam Speaker, it is clear where the problem is. And it is stated in the

mission statement: **“Our Vision - To become a reputable medium-sized global niche market leader in the provision of client-focused and distinctive quality maritime administration and related services that add value to our clients’ operations, meet and promote international standards, and positively contribute to the development of the Cayman Islands.”**

Those are people that make up the directors because they are looking out for their own businesses. And the fact that the Government lost a couple of hundred thousand or a couple of million while, maybe not the directors themselves, but the financial industry made millions and millions of profit on this business.

The Mission Statement that follows the vision, again, is in the same vein. Nothing in it about . . . there is not even a commitment to meet operational cost.

Madam Speaker, while I understood and appreciated what the Minister of Planning said, I understand that these financial . . . and this is not just an audit report. This is a report from the board saying what they are doing, what they have done and it should include what they hope to do. My position is that this Parliament needs to tell this board that it must include corrective action to stop the bleeding. And, Madam Speaker, as you will be aware, this is not the first time I’ve raised this issue. Almost every budget address I have talked about how some of these authorities are operating. And this gives me the opportunity here today for all of us to send a clear message by sending this report back, telling them to put an addendum to it [about] what are they going to do. We can’t wait to correct it in 2015 or 2016.

Madam Speaker, the reason this report needs to be rejected is not because of what is in the report, it needs to be rejected on the basis of what is *not* in the report. And what is not in the report is any admission, any acceptance of responsibility by this board that things are not going well; and not a single proposal of what they are going to do. It’s okay for the Government to say we are going to correct it. But the Government has to be careful about how they get up into what they are going to correct, you nah. This is a legal entity. As far as I know, the Minister is only allowed to give general directives in accordance with government policy. But if this Parliament today rejects the report, the Minister then has the authority to ask the board to do that addendum and bring the results here.

So, Madam Speaker, it is time for us to say to these authorities [that] part of what we believe your mandate should be . . . because, Madam Speaker, if the mandate and the purpose of these authorities is not to contribute revenue to government, or at least meet their costs, what is the point of setting them up? Is it to simply provide opportunities for the private sector to make money at our expense? And then when we try to increase other fees they beat us up for that too.

So, Madam Speaker, I still think that the best course of action is here is an opportunity for all Members of this honourable House to draw the line in the sand and make these authorities understand that at least part of the purpose . . . and, Madam Speaker, the Minister of Financial Services was very upset because I used the company registry and he said that that was apples and oranges. Well let's use the Civil Aviation Authority. Very similar, they license planes, we regulate them, right? They made a profit every year for the last five years and they do not have 50 people on staff.

So, Madam Speaker, something is wrong with this picture. And I don't think that Parliament can continue to ignore it. So, Madam Speaker, I am asking Members to support the Motion. Let us take this opportunity to correct this matter at this time. Thank you, Madam Speaker.

The Speaker: The question is that the Cayman Maritime Annual Report, 2012/2013 be hereby rejected. All those in favour, please say Aye. Those against, No.

Ayes and Noes.

The Speaker: I believe the Noes have it. Accordingly, the Motion has not passed.

Negatived: Motion to reject the Tabling of the Cayman Maritime Annual Report 2012 – 2013 failed.

PRESENTATION OF PAPERS AND OF REPORTS

[Continuing]

CAYMAN ISLANDS STOCK EXCHANGE ANNUAL REPORT FOR THE YEARS ENDED JUNE 30, 2013 AND 2012

The Speaker: I recognise the Honourable Minister of Financial Services.

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

Madam Speaker, I beg to lay on the Table of this honourable House, the Annual Report of the [Cayman Islands Stock Exchange](#) for the years ended 30 June, 2013 and 2012.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to it?

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

Based on the last discussion we have had, I have to admit some slight degree of trepidation in pre-

senting and the laying this report. But I suppose I can take heart from one simple fact, and that is, there has not been a loss over this period for the Stock Exchange.

Madam Speaker, the audited financial statements just tabled comprise the Statement of Comprehensive Income, Statement of Financial Position, the Statement of Changes in Shareholders' Equity, the Statement of Cash Flows and the Notes to the Financial Statements.

The Statement of Comprehensive Income will show that the total revenue earned by the Stock Exchange during the 2012/13 financial year totaled CI\$1,446,553. The total operating expenses totaled \$1,341,282. And the net income for the year was CI\$105,271.

Madam Speaker, the Stock Exchange ended the 2012/13 financial year with CI\$2,047,372 in total assets; CI\$195,522 in current liabilities and a total shareholders' equity of CI\$1,851,850.

The Statement of Cash Flows shows that the net cash provided by the operating activities of the Stock Exchange totaled CI\$155,033 in the 2012/13 financial year. And the net cash used in investing activities totaled CI\$371,787. The cash and cash equivalents of the Exchange as at 30 June 2013 was CI\$1,272,106.

The Auditor General has issued an unqualified opinion in respect of the financial position of the Cayman Islands Stock Exchange as at 30 June 2013.

Madam Speaker, the Stock Exchange ended the year with a market capitalisation of US\$164 billion and has been profitable and self-funding for several years. During the past year, or the year in relation to the period of the financial statements (2012/13), the Stock Exchange celebrated the launch of its upgraded trading platform in agreement with a major European Exchange, all of which the Exchange funded from its own accumulated reserves. So, no borrowing, no external funds were utilised. The objective is to enhance the trading of securities listed on the Stock Exchange, particularly for local companies that look to improve liquidity and gain access to international markets.

Having experienced a contraction in listings for the years following the financial crisis, which is, of course, no surprise, Madam Speaker, the Exchange now has the infrastructure and the volumes to compete favourably for international listings. The outlook for the level of business, and, therefore, their financial performance, has improved and there is cautious optimism that this positive trend will continue and will improve.

Going forward, Madam Speaker, the Stock Exchange is also working on a pioneering project with an international provider of insurance loss data, aiming to strengthen its position as an exchange of choice for listing and trading of insurance linked securities.

On a personal note, Madam Speaker, I would like to thank the chairman and council members,

along with the managing director and her management team, as well as the remaining staff of the Stock Exchange, for their professionalism and service to the Cayman Islands.

Thank you, Madam Speaker.

CAYMAN ISLANDS MONETARY AUTHORITY ANNUAL REPORT 2013

The Speaker: I recognise the Honourable Minister responsible for Financial Services.

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

Madam Speaker, I beg to lay on the Table of this honourable House the Annual Report for the [Cayman Islands Monetary Authority](#) for the year ended 30 June 2013.

The Speaker: So ordered.

Does the Member care to expound thereon?

Hon. G. Wayne Panton: Very briefly, Madam Speaker.

The report provides an overview of the industries that the Cayman Islands Monetary Authority (CI-MA) regulates, namely, banking and related services, fiduciary services, insurance, investments and securities. It provides evidence of industry trends, including movements in the number of regulated entities and jurisdictional comparisons for each of the relevant sectors.

The report also outlines the developments within the Authority during the period, and it outlines how it has executed its four main functions, which are management of the Cayman Islands currency and its reserves, the regulation and supervision of financial services, the provision of assistance to overseas regulatory authorities and the provision of advice to the Cayman Islands Government on monetary, regulatory, and international corporation issues.

Madam Speaker, in relation to the financial performance of the Monetary Authority, the net income as disclosed by the financial statements was CI\$587,000 and this has been allocated to the Authority's capital expenditures reserve.

The currency in circulation, Madam Speaker, as at June 2013, was CI\$87.2 million. The value of the currency reserves to back the currency was CI\$97,930,000. Obviously, Madam Speaker, this significantly exceeds the legal tender currency in circulation by an amount in excess of \$10 million.

Madam Speaker, the Monetary Authority collected some CI\$101.656 [million] in fees from regulated entities for the Government during the 2012/13 period to which the financial statements relate, which was a significant increase over the \$79,563,000 for the prior year. This increase in collections can be at-

tributed mainly to the new revenue measures implemented by the Government in that period of 2012/13.

The regulated sectors have shown mixed activity, Madam Speaker. The 221 banking licences held as at 30 June 2013 represent a 5.96 per cent decline from the 235 held as at June 2012. On the other hand, there was an increase in the number of captive insurance licences issued during the same period, which was 56, compared to 36 in the prior period of 2011/12. The total assets of licensed captives rose to \$82,771,010 from \$78,901,005 in the prior period ending 2012. That leaves Cayman in this area as the largest domicile for healthcare captive insurance companies, and the second largest for captives generally. Both of these, I think, certainly in relation to healthcare, are quite significant.

In relation to regulated funds, the numbers for Cayman placed it far ahead of other jurisdictions, and that has been that way for some time. We certainly aim to keep it that way, Madam Speaker.

In relation to the total number of funds as at 30 June 2013, these were 11,209 compared to 9,990 as at 30 June 2012 (the prior period). The number of trust licences and registrations remained consistent at 389. However, the number of company managers and corporate service provider licences increased from 97 to 108.

Over the period, Madam Speaker, CIMA has continued active involvement and influence in several international regulatory bodies. These include the International Association of Insurance Supervisors and the Group of Financial Centre Supervisors. The Authority has assisted Government through involvement in Cayman's International Tax Cooperation Team and the participation on the Global Forum on Transparency and Exchange of Information (for tax purposes) Steering Committee and the Peer Review Committee of the Organisation for Economic Co-operation and Development (OECD).

The Auditor General has again issued a clean opinion. His opinion is that the financial statements presented fairly reflect in all material respects the financial position of the Monetary Authority as at 30 June 2013, and the results of its operation and its cash flows for that period.

Madam Speaker, the report presents a comprehensive account of the Authority's activities and developments for the reporting period. I therefore commend this report to this honourable House and thank the chairman and board of directors along with the managing director and her management team and all of the staff of the Monetary Authority for their professionalism and service.

Thank you, Madam Speaker.

CIVIL AVIATION AUTHORITY OF THE CAYMAN ISLANDS ANNUAL REPORT 2012 - 2013

The Speaker: I recognise the Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Good morning, Madam Speaker, and, like other honourable Members, I would like to express my pleasure on being here in the Brac and to spend some time with the good people of our Sister Island.

Madam Speaker, I beg to lay on the Table of this honourable House the Annual Financial Statements for the [Civil Aviation Authority](#) of the Cayman Islands for the year 2012/13.

The Speaker: So ordered.

Does the Honourable Deputy Governor wish to speak to it?

The Deputy Governor, Hon. Franz I. Manderson: Yes, Madam Speaker, just briefly.

The 2013 financial year was another successful year for the Authority that accumulated in the highest net income ever realised. This result is a testament to the prudent management of the Authority's finances and the commitment and dedication [of] its employees. While there are many factors beyond the control of the Authority that could influence its financial performance, management has been diligent in its approach to ensure that efficiencies and service levels are optimised through training, IT implementation and upgrades, adherence to sound regulatory standards and appropriate staff recognition and incentives.

Madam Speaker, just a summary of the financials net income for the year yielded and audited; a net income of just over \$2.8 million which is a whopping 65 per cent over budgeted net income of \$1.6 million. This growth in net income is mainly due to the increase in revenue from an increase of larger aircrafts on the register, and a 7 per cent and 5 per cent increase in aircraft on register in the past two years. The increase in net income is also due to significant savings and expenses under the budgeted amounts. These savings and expenses occurred in most areas, the largest portion being in personnel and travel and subsistence cost.

Madam Speaker, the good news continue on the expense side in that the total recurrent expenditure was [\$]227,000 below the budgeted amount for the year ending June 2013. Savings in the most expense categories were attained with the largest being in personnel cost. I should also say that this Authority has contributed some \$11 million to government since 2009. I think this report highlights the fact that there are some authorities in government which are doing an excellent job in terms of managing their finances. And I want to congratulate the Director General and his team at the [Civil Aviation Authority] for their good work.

I would also like to echo what the Honourable Premier and the Minister of Planning said in relation to

the Public Authorities Bill. I am chairing a committee to review the Public Authorities Bill that had been developed many years ago. I promise the Government that I will have a draft Bill for their consideration in short order. Thank you.

PORTFOLIO OF THE CIVIL SERVICE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2013

The Speaker: I recognise the Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Madam Speaker, I beg to lay on the Table of this honourable House the Annual Financial Statements for the [Portfolio of the Civil Service](#) for the year ending 30 June 2013.

The Speaker: So ordered.

Does the Honourable Deputy Governor wish to speak to it?

The Deputy Governor, Hon. Franz I. Manderson: Madam Speaker, very briefly, just to congratulate the Chief Officer, Ms. Gloria McField-Nixon, and the acting CFO, Ms. Neyka Webster, for producing high quality financial statements which were given a clean opinion by the Auditor General. And to generally say, the fact that we are laying so many reports for the year ending 2013 highlights the progress that the Government has made in getting all of its reports in to the Auditor General on time. But the fact that we are now getting more and more clean reports also highlights the fact that we are producing high quality financial statements. And I just want to congratulate everyone involved in achieving these milestones.

MINISTRY OF FINANCE, TOURISM AND DEVELOPMENT:

TOURISM AND DEVELOPMENT ANNUAL FINANCIAL STATEMENTS FOR YEAR ENDED 30 JUNE 2011

PUBLIC FINANCE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2012

The Speaker: I recognise the Honourable Deputy Premier.

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

Madam Speaker, I beg to lay on the Table of this honourable House the [Annual Financial Statements for the Ministry of Finance, Tourism and Development](#) for the year ended 30 June 2011.

I also beg to lay on the Table of this honourable House the [Public Finance Annual Financial Statements for the Ministry of Finance, Tourism and Development](#) for the year ended 30 June 2012.

The Speaker: So ordered.

Does the Honourable Deputy Premier wish to speak to it?

The Deputy Premier, Hon. Moses I. Kirkconnell: Madam Speaker, just to say that both of the reports are self-explanatory and I encourage Members to take a look at them. Thank you.

“LET THE WHISTLE BLOW”—OWN MOTION INVESTIGATION BY THE OFFICE OF THE COMPLAINTS COMMISSIONER FEBRUARY 2014

The Speaker: I recognise the honourable Member for the district of North Side.

Mr. D. Ezzard Miller: Madam Speaker, in accordance with Standing Orders and as Chairman of the Oversight Committee for the Office of the Complaints Commissioner, I wish to table a special report, “[Let the Whistle Blow](#)”, dated February 14, 2014.

The Speaker: So ordered.

Does the honourable Member for North Side wish to speak to it?

Mr. D. Ezzard Miller: Yes, thank you, Madam Speaker.

Madam Speaker, this report is a result of what is known as an “Own Motion Investigation” by the Office of the Complaints Commissioner, and I think the best way to encapsulate that is to read what the Complaints Commissioner, Ms. Nicola Williams said on page 4 of the report:

“In 2013, the issue of whistleblowing was reported on widely across the globe—in particular the cases concerning Bradley Manning and Edward Snowden. But this is not a modern problem; in September 2013, an article in the Sunday Times described Col. Georges Picquart, a former head of the French army secret intelligence service, as ‘The Original Whistleblower’ for his part in the libel trial of the novelist Emile Zola, who had written about the 1894 Dreyfus affair.

“Whistleblowing was one of the matters examined and reported on in the 2008 Clifford Report. However, despite the recommendation in this area, there is still little or no protection for potential whistleblowers, or reporters of wrongdoing, who are employed by the Cayman Islands Government.

“Whistleblowing recommendations have been made before by the OCC since the Office was established in 2004 – most recently in the

OCC Reports on Pensions (2010) and Health and Safety in the Construction Industry (2012), both of which stated that the law should be changed to allow penalties for victimization in order to protect whistleblowers, but these concerned discrete government entities. The absence of a comprehensive, safe, confidential and effective process, underpinned by legislation which is robustly enforced, does not just affect government employees and their families; whistleblowing protection for both the public and private sector makes good business sense. For example, in November 2012, Forbes magazine ranked New Zealand first on its most recent list of the Best Countries for Business thanks to a transparent and stable business climate. According to Phil O’Reilly Chief Executive of Business New Zealand, ‘New Zealand’s high trust public sector is its greatest competitive advantage.’”

Madam Speaker, it is important that we establish the background currency and significance of this report, so that Members of this House, civil service administrators and the general public will appreciate and give this report the importance it deserves.

The body of this report contains very important information from which the findings and recommendations are determined. I take this opportunity to encourage all Members, civil servants, especially chief officers and department heads, as well as board members and CEOs of government owned companies and statutory authorities to read, study, and act on the recommendations of this report.

Madam Speaker, in the interest of time and to allow all Members the opportunity to debate this report, I will concentrate my remarks on the findings and recommendations in the report.

“Findings:

1. Civil and public servants, whether Caymanian or non-Caymanian, are extremely reluctant to report wrongdoing, both for fear of reprisal, either direct or indirect (that is, fear of repercussions on family members), and because of a strongly held belief that the wrongdoer will not be punished.

2. Whilst civil servants, past and present who were interviewed for this report, recount many instances of intimidation, victimisation or reprisal against whistle blowers, civil servants at chief officer level and above, largely claim to be unaware of any such issues.

3. There is no effective and vigorously enforced whistleblowing policy within the Cayman Islands Government. The absence of same undermines the ability of civil and public service to fully comply with Part II of the Public Service Management Law (currently 2013 Revision).

4. The proper treatment of whistleblowers is a “good governance” issue, as well as a human

rights issue. This also has an impact on private sector business as well.

5. The protection from victimisation will depend on the robustness of the body to which the whistleblower is reporting.

“Recommendations:

1. Enact stand-alone legislation to deal with whistleblowing as in Jamaica, Australia, New Zealand and elsewhere . . . Although, according to senior lawyers employed within the Government Legal Service, there are a few sections in individual laws that could be relied upon by whistleblowers, the OCC is firmly of the view that people should not have to trawl through legislation to cherry-pick sections of applicable legislation, which is especially difficult for ordinary members of the public, and does not assist transparency. The protection should extend to volunteers as well as to employees and others receiving payment for their services.

2. There should be a Positive Duty to Report as per the Money Laundering and Anti-Corruption Laws.

3. Change the culture of the Civil Service to encourage whistleblowing and support whistleblowers – to see whistleblowers properly as Reporters of Wrongdoing.

4. Hand in hand with 3 above is accountability for the perpetrators of wrongdoing. If they are not appropriately punished no one will come forward.

5. Government should draft a Whistleblowing Policy document containing the points raised in Section 8(b) of this Report.

6. Keep the Public Service Values and Public Servant’s Code of Conduct front and centre for all who work in any government entity or carry out government business, even if not directly employed by government.

7. Establish a confidential hotline or tip line for whistleblowers, properly funded and resourced on an ongoing basis.

8. Confidentiality for whistleblowers must be ensured.

9. Establish a programme of public education to advise people on what amounts to whistleblowing, and as to what legislation and protections are currently, or will imminently be, in place.

10. Consideration should be given to a Government Minister holding the portfolio for the Public Service and Integrity, in much the same way as Australia.”

Madam Speaker, let me, on behalf of the Oversight Committee which I chair, offer our congratulations and thanks to the Complaints Commissioner and her staff on the professionalism, sensitivity and

yet thoroughness with which this report has been prepared.

Now, Madam Speaker, the Oversight Committee is very concerned with the handling of the Clifford Report and the Luck Report by both senior Civil Service administration and the political leadership of past Governments. In order to prevent this Report suffering similar fate, the Committee has instructed me to move the following Motion which will provide each and every Member of this House, including the Head of the Civil Service and the Attorney General, to publicly commit to implementation in a timely fashion of the recommendations made in this report.

MOTION UNDER STANDING ORDER 74(5)

Mr. D. Ezzard Miller: Madam Speaker, in accordance with Standing Order 74(5), on behalf of the Oversight Committee for the Office of the Complaints Commissioner, I move the following Motion:

BE IT THEREFORE RESOLVED that the Government adopt and implement the recommendations contained in this report “Let the Whistle Blow” as Government Policy;

AND BE IT FURTHER RESOLVED that such implementation, include the introduction and passage into Law of Whistle Blower Legislation.

The Speaker: Member for North Side, would you happen to have that Motion in writing there with you?

Mr. D. Ezzard Miller: I have it in my notes but not in written form to hand out.

The Speaker: Could you please repeat it a bit slower so that the Clerk can have it recorded?

Mr. D. Ezzard Miller: The Motion: **BE IT THEREFORE RESOLVED** that the Government adopt and implement the recommendations contained in this report “Let the Whistle Blow” as Government Policy;

AND BE IT FURTHER RESOLVED that such implementation, include the introduction and passage into Law of Whistle Blower Legislation.

The Speaker: Just for the edification of Members, the Member for North Side has moved the Motion in accordance with Standing Order 74(5) which reads as follows: “The report or special report together with a copy of the minutes of proceedings of a select committee shall be presented to the House by the chairman or other Member of the committee acting on his behalf, and shall be recorded in the minutes of proceedings of the House as having been so presented and the chairman or any Member may, forthwith and without notice, move that the recommendations contained therein be adopted, modified or rejected, and if the motion be second-

ed and unopposed the Presiding Officer may forthwith and without debate put the question thereon.”

Does the Member have a seconder?

The Speaker: I recognise the Third Elected Member for the district of West Bay.

Mr. Bernie A. Bush, Third Elected Member for West Bay: I would like to second the Motion, Ma'am.

The Speaker: Thank you.

The Motion has been moved and seconded. Does the Member wish to speak further to it?

Mr. D. Ezzard Miller: No, Madam Speaker, I will wait on the windup. I think I said enough about the report before I moved the Motion.

The Speaker: Does any other Member wish to speak on it?

I recognise the Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Thank you, Madam Speaker, very briefly.

We have considered the report and, while we do not agree with every recommendation here, we do accept that that this is a matter which we need to give urgent attention to.

We have done a considerable amount of work on this already. The Attorney General is already in the process of drafting whistleblowing legislation. I have set up a confidential email where staff can contact me if they wish to pass on information which is confidential. So, there are a number of things that we are doing in the Civil Service to take this matter forward.

But I do want to congratulate the Complaints Commissioner on this report and to say that certainly, the recommendations that fall under my office we are taking them seriously and are progressing them as quickly as we can.

The Speaker: Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] Last call—does any other Member wish to speak? [pause]

If not, I will ask the Member for the district of North Side if he wishes to exercise his right of reply.

Mr. D. Ezzard Miller: Madam Speaker, I think that I said enough on moving the Motion, and the Committee feels strongly enough that Parliament needs to commit to the implementation of this report because far too often, as we have seen in this report, the Clifford Report and the Luck Report have not seen the light of day. And we are concerned that this report may fall on the same fate. So, I think it is important that Parliament accepts the Motion from the Oversight Committee and gives the country the commitment that

implementation and legislation will take place. Thank you, Madam Speaker.

The Speaker: The question is: BE IT THEREFORE RESOLVED that the Government adopt and implement the recommendations contained in this report “Let the Whistle Blow” as Government Policy; AND BE IT FURTHER RESOLVED that such implementation, include the introduction and passage into Law of Whistle Blower Legislation.

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

Ayes and Noes.

The Speaker: I believe the Noes have it.

Mr. D. Ezzard Miller: Madam Speaker, can I have a division please?

The Speaker: Madam Clerk, please call a division.

The Clerk:

Division No. 14

Ayes: 5

Hon. W. McKeeva Bush
Mr. Bernie A. Bush
Capt. A. Eugene Ebanks
Mr. D. Ezzard Miller
Mr. V. Arden McLean

Noes: 11

Hon. Alden McLaughlin
Hon. Moses I. Kirkconnell
Hon. D. Kurt Tibbetts
Hon. Osbourne V. Bodden
Hon. G. Wayne Panton
Hon. Marco S. Archer
Hon. Tara A. Rivers
Hon. Anthony S. Eden
Mr. Winston C. Connolly
Mr. Roy M. McTaggart
Mr. Joseph X. Hew

Abstention: 1

Mr. Alva H. Suckoo

The Speaker: The result of the division is as follows: 5 Ayes, 11 Noes and 1 Abstention. The Noes have it. The Motion has accordingly failed.

Negated by majority on division: Motion for the Government to implement Whistleblower legislation failed.

FINANCIAL STATEMENTS FOR THE GOVERNMENT OF THE CAYMAN ISLANDS FOR THE YEAR ENDED 30 JUNE, 2011

The Speaker: I recognise the Honourable Minister of [Finance].

I wonder if the Minister intends to speak at length, otherwise, we would take the luncheon break at this time.

Hon. Marco S. Archer, Minister of Finance and Economic Development: Madam Speaker, perhaps it is best that we take the lunch break, because I would be approximately 20 minutes or so.

The Speaker: The House will suspend for lunch. We will reconvene at 2:00 pm and I would ask Members to take the five minutes that would be in addition to the luncheon hour to convene for an official photograph before we disperse for lunch, here in the Chamber.

Thank you.

Proceedings suspended at 12.52 pm

Proceedings resumed at 2.50 pm

The Speaker: Please be seated.
Proceedings are resumed.

PRESENTATION OF PAPERS AND OF REPORTS

[Continuing]

The Speaker: I recognise the Honourable Minister responsible for Finance.

Hon. Marco S. Archer: Madam Speaker, before I do what I've come to do, I would like to first of all say thank you to the people of Cayman Brac for the warm welcome that we have received, and to give my apologies to the young children from the school who came to listen to us but unfortunately because of the lunch break they were not able to stick around. So, I will give an undertaking, Madam Speaker, that if you (as I know you do) would identify the school to us, I will visit them tomorrow at some time just so that they can see Members of the Government and get to converse with us. Thank you, Ma'am.

The Speaker: That undertaking is easy to do, but perhaps you could also have a sidebar word with the Minister of Education to see whether the children could come back tomorrow at another appropriate time.

FINANCIAL STATEMENTS FOR THE GOVERNMENT OF THE CAYMAN ISLANDS FOR THE YEAR ENDED 30 JUNE, 2011

Hon. Marco S. Archer: Thank you, Madam Speaker.
Madam Speaker, I beg to lay on the Table of this honourable House the [financial statements](#) for the Cayman Islands Government for the financial year ended 30 June, 2011.

The Speaker: So ordered.

Does the Honourable Minister wish to speak thereon?

Hon. Marco S. Archer: Yes, Madam Speaker. Thank you.

The Speaker: Please proceed.

Hon. Marco S. Archer: Madam Speaker, these are the first set of annual consolidated or entire public sector financial statements that are being laid in this House under the Public Management and Finance Law (PMFL).

Madam Speaker, as you are aware, the Government is required under the Public Management and Finance Law to gazette audited consolidated financial statements no later than five months and two weeks after the end of each financial year. Therefore, this should have been gazette from the 14 December 2011.

The Government has faced many challenges with the preparation of its consolidated financial statements for auditing by the Auditor General. Despite these challenges there have been significant improvements, Madam Speaker. The consolidated financial statements for the financial year ended 30 June 2009, 30 June 2010, 30 June 2012, and 30 June 2013 are currently with the Auditor General for auditing. As soon as those audits are finalised the Government intends to table the financial results for those years in the Legislative Assembly.

Madam Speaker, on the 25 July 2013, the Auditor General issued a disclaimer of opinion on the financial statements for the fiscal year ending 30 June 2011. A disclaimer of opinion means that the Auditor General was unable to obtain sufficient and appropriate audit evidence in order to complete an audit on the financial statements and, therefore, could not provide a basis for audit opinion.

The Auditor General's basis for the disclaimer of opinion was due primarily to: a) the lack of sufficient and appropriate evidence of assets; b) the lack of sufficient and appropriate evidence of liabilities; c) the lack of sufficient and appropriate evidence of revenues; d) the lack of sufficient and appropriate evidence of expenses; e) limited management representations; f) the elimination of inter-entity balances; g) trial balance differences; h) related party transactions; and i) opening balances.

Madam Speaker, with respect to lack of sufficient and appropriate evidence of assets, the Government had not carried out a reevaluation of its lands, buildings, infrastructure and leasehold improvements since 2001.

International Public Sector Accounting Standards (IPSAS-17) indicates that such reevaluation should be made with sufficient regularity to ensure that the carrying amount does not differ materially

from that which would be determined using fair value at the reporting date.

As at the 30 June 2011, the net book value of assets subject to reevaluation amounted to approximately [C\$]625 million which represents 36 per cent of the total assets reported. As a result, the Auditor General was unable to evaluate the reasonableness of the carrying amount of land and buildings and any associated depreciation or impairment entries recorded within the financial statements as at the 30 June 2011 as being reasonable.

Madam Speaker, with respect to a lack of sufficient and appropriate evidence of liabilities, the Government under the provisions of the Public Service Management Law is obligated to provide post-retirement health benefits to qualified employees, spouses and dependent children commencing upon retirement. The Auditor General was not provided with management's evaluation of the extent of its obligations under this medical plan, and consequently, was not provided with estimates and supporting calculations of such liabilities. Furthermore, an independent valuation was not provided. As a result of these deficiencies the Auditor General was unable to determine the extent of the post-retirement medical cost obligation of the Government as at 30 June 2011. This material omission of post-retirement healthcare costs from the consolidated financial statements liabilities is not compliant with IPSAS-25.

With respect to a lack of sufficient and appropriate evidence of revenues, management was unable to assert as to the completeness, accuracy and the existence of revenues and receivables recorded within the consolidated financial statements as required by International Standards of Auditing number 580 (ISA-580). The total revenues recorded amounted to [C\$]732 million with related receivables of [C\$]38 million. As such, the Auditor General was unable to obtain sufficient appropriate audit evidence to determine the reasonableness of the reported revenues.

With respect to a lack of sufficient and appropriate evidence of expenses, due to the extent of the reported material omissions and accounting issues the integrity of a number of related items which are required to be reported in the statement of financial performance have been affected. These include but are not limited to depreciation, impairment and movement of post-retirement health balances. The inclusion or adjustment to the above line items is likely to be material. As such, the Auditor was unable to obtain sufficient appropriate audit evidence to determine the accuracy occurrence and completeness of expenses.

Madam Speaker, with respect to management representations, the Auditor General received representation from management with regard to the fairness of the figures and related those disclosures presented in the consolidated financial statements. However, representations made by management for a

number of significant balances and disclosures were limited to the representations made by the underlying entities and not by the entire public sector (EPS) as required by ISA-580.

Elimination of inter-entity balances: The consolidated financial statements are required under IPSAS-6 to present the final results and balances of the Government as a single economic entity where all intercompany transactions and balances are eliminated. During the audit it was noted that the procedures used to ensure the proper elimination and disclosure of all related party balances and transactions were deficient in achieving the requirements of the standards. The identified weakness was systemic and management was unable to provide alternative appropriate audit evidence which showed that all such balances were appropriately eliminated.

With respect to trial balance differences, Madam Speaker, there was a material discrepancy between the consolidation, trial balance and the corresponding figures reported in the consolidated financial statement. The difference consisted of uncorrected misstatements and unreconciled differences.

With respect to related party transactions: To comply with certain disclosures of IPSAS-20, a system has to be in place to effectively ensure the completeness, accuracy, existence and proper disclosure of all related party transactions. Currently, there is no government wide system to collate and report related party transactions. As such, the Auditor General was unable to opine on the fairness of related party transactions that have been included in the consolidated financial statements.

Madam Speaker, with respect to opening balances, the Auditor General was unable to substantiate the opening balances of the consolidated financial position as at the 1st July 2010. The Government presented for audit the draft consolidated financial statement for the previous years ended 30 June 2009 and 2010 after the passage of a significant period of time when the Auditor General was provided with the 2011 consolidated financial statements. Because the Auditor General was unable to verify the fairness of those opening balances, he could not determine the effects of any adjustments to those opening balances on the current consolidated financial statements.

Madam Speaker, I now turn to give an overview of the financial statements for the year ended 30 June 2011.

Madam Speaker, the statement of financial position as at 30 June 2011 shows that the entire public sector ended the financial year with CI\$1.739 billion in total assets; CI\$1.241 billion in total non-current liabilities; and CI\$498.238 million in net assets.

The statement of financial performance for the year ended 30 June 2011, shows that during the year the entire public sector earned CI\$732.56 million in operating revenue and incurred CI\$709.114 million in

operating expenses. The resulting operating surplus for the entire public sector was CI\$23.446 million.

The statement of cash flows shows that the net cash flows received from operating and financing activities totalled CI\$65.533 million and CI\$131.076 million. The net cash used for investing activities totalled CI\$94.224 million. The cash and cash equivalents for the entire public sector at 30 June 2011 totalled CI\$259.098 million.

The statement of changes in net worth shows the total net worth of the Government at CI\$495.236 million. The audited financial statements also include the principles of responsible financial management and shows that the Government was in compliance with the surplus net worth cash reserves and financial risk ratios.

The Government, however, was not in compliance with the borrowing and net debt ratios as the debt servicing ratio was at 10.5 per cent. This ratio should not exceed 10 per cent, Madam Speaker. And the net debt was at 98.1 per cent of core government revenue, and this ratio should not be more than 80 per cent.

The statement of public debt shows that the net public debt for the entire public sector is CI\$522.341 million.

Madam Speaker, for the record and given the time that has passed since I have started speaking, these figures relate to the fiscal year ending 30 June 2011.

Madam Speaker, with respect to efforts to improve the quality of financial information, the Government is making great strides to improve the quality of its financial information and, in turn, improve the Auditor General's opinion on the government's financial statements.

As reported by the Auditor General in his progress report entitled "Financial and Performance Reporting Status update as at 30 September, 2013" 39 per cent of the underlying government agencies financial statements which were audited for the financial year ended 30 June 2012, received unqualified or clean audit opinions. Thirty-one per cent of the financial statements which were audited for the year ended 30 June, 2012, received qualified audit opinions. The audits of the remaining 30 per cent of financial statements were not finalised and no audit opinion had been issued at the date of the audit report.

Madam Speaker, an unqualified audit opinion means that the information contained in the financial statements can be relied upon, whilst a qualified opinion means that only a portion of the financial information can be relied upon.

In July 2013 a report on the valuation of the government's fixed assets was completed and the Government will now be carrying current values of all of its fixed assets in the financial statements. This valuation will eliminate the Auditor General's finding on asset valuations.

The Government is currently in the process of valuing its post-retirement healthcare benefits with the view of reporting the current value of the obligation in the financial statements. This valuation will also eliminate the Auditor General's findings in future audits with respect to the post-retirement healthcare benefits.

Government entities are focusing on improving their internal controls to ensure that revenue and expenses are properly recorded, supported and reported. In addition, Madam Speaker, the Treasury Department is currently in a process of procuring software that will improve the government's efficiency of producing and reporting accurate and timely financial information.

In conclusion, Madam Speaker, a disclaimer of opinion is not a good audit opinion. Based on the Auditor General's reason for issuing the disclaimer of opinion, it indicates that the Government has some significant work to do to improve the quality of its financial information. However, Madam Speaker, the financial statements represent the Government's financial position from two financial years ago, and since these last two financial years, the Government has made great strides in addressing the issues highlighted by the Auditor General. The Government's assets are currently being carried in its books at their current values. The valuation of post-retirement healthcare benefits is currently in progress. And the Government is improving its financial management systems to ensure accurate and timely financial information.

Madam Speaker, it is hoped that over the coming years as further improvements are made, the Government's financial information will become more reliable and credible. Thank you, Madam Speaker.

GOVERNMENT OF THE CAYMAN ISLANDS – MINISTRY OF EDUCATION, TRAINING AND EMPLOYMENT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2012

The Speaker: I recognise the Honourable Minister responsible for Education.

Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs: Thank you, Madam Speaker. And I too would like to express my gratitude to the people from Cayman Brac for hosting us, and my pleasure to be here with you and look forward to having a bit of social and fellowship time later this evening.

And also to say that I was very happy to see earlier today . . . and unfortunately the other set of school children were not here to be present with us, but hopefully we will be able to get them back again tomorrow. As we all know, it is very important that our young people are exposed and aware and become involved in the political process from such an early

age because they are, as they say, our future. And it is important for them to feel a part of this process.

Madam Speaker, I beg to lay on the Table of this honourable House the audited [financial statements](#) of the Ministry of Education, Training and Employment for the year ended 30 June 2012.

The Speaker: So ordered.

Does the Honourable Minister wish to speak thereto?

Hon. Tara A. Rivers: Yes, Madam Speaker, just briefly. Thank you.

The audited statements just tabled for the Ministry of Education, Training and Employment for the year ended 30 June 2012 shows that the then Ministry ended the 2011/12 financial year with [\$]268.38 million in total assets; [\$]7.9 million in total liabilities, while the total net worth was [\$]260.48 million.

The Auditor General issued a qualified opinion on the financial position of the Ministry of Education, Training and Employment for the year ended 30 June 2012, and the basis of the qualifications were the lack of valuation on property, plant and equipment (the depreciation expense is derived from the value of the property, plant and equipment), and the inability to determine the validity and accuracy of the net worth due to prior period opening balance. And as this House heard, Madam Speaker, the Government has taken steps to address the issue of the valuation of the property, plant and equipment across the board as was outlined by the Minister of Finance. So, we hope to not have to have the financial statements qualified in such a manner going forward.

Thank you, Madam Speaker.

IMMIGRATION (GRANT OF RIGHT TO BE CAYMANIAN) ORDER, 2014

The Speaker: Honourable Premier.

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

Madam Speaker, I beg to lay on the Table of this honourable House the Immigration (Grant of Right to be Caymanian) [Order](#), 2014.

The Speaker: So ordered.

Does the Honourable Premier wish to speak thereon?

The Premier, Hon. Alden McLaughlin: Madam Speaker, Government Motion No. 8 2013/14 will be dealt with a bit later in this Meeting of the House, and I will speak to the relevance of that order when I move that motion and speak to it.

STANDING BUSINESS COMMITTEE REPORTS:

FOURTH MEETING 2013/14 SESSION FIFTH MEETING 2013/14 SESSION

The Speaker: I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I beg to lay on the Table of this honourable House two reports of the Standing Business Committee with respect to the [Fourth](#) and [Fifth Meeting](#) of the 2013/2014 Session of the Legislative Assembly.

The Speaker: So ordered.

Does the Honourable Premier wish to expound upon the reports?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker, the reports simply outline the meetings of the Standing Business Committee which fixes the agenda for Meetings of this honourable House.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

The Speaker: I recognise the Honourable Premier who will be presenting two statements.

The Premier, Hon. Alden McLaughlin: Madam Speaker, if I could ask the Serjeant for the lectern.

The Speaker: Serjeant, could you assist the Honourable Premier please?

[Pause]

MEETING OF THE LEGISLATIVE ASSEMBLY IN CAYMAN BRAC

The Premier, Hon. Alden McLaughlin: Madam Speaker, it is with great pride that I rise to address this honourable House on this very special and historic occasion as we hold a Meeting of the Legislative Assembly in the Aston Ratty Civic Centre here in Cayman Brac.

Madam Speaker, I have to say in the almost 14 years that I have been in this honourable House that I have never known the laying of reports on the Table of the House to have been quite as exciting and to have taken quite as long. Unfortunately, by that occurring at this Meeting, we are very late in the day in my being able to welcome the people of Cayman Brac to this Meeting today and to thank them for the warm welcome and excellent hospitality. And, as some other Members have said, it is something of a pity that we have lost the school children who were here as well before I was able to make this statement.

But nonetheless, Madam Speaker, the last such Meeting was held here in 2003, and with both your good-self and my dear friend the Deputy Premier, both hailing from Cayman Brac, we felt it was a most fitting occasion to return to Cayman Brac for this Meeting.

I want to thank the people of Cayman Brac for their warm welcome and excellent hospitality. The District Administration Office has worked closely with the Legislative Assembly staff to ensure that all arrangements are in place, and for this I am sure I speak on behalf of all honourable Members when I say 'thank you' from the bottom of my heart for your thoughtfulness and care.

Madam Speaker, I take great satisfaction in living in a country that has become a global leader in the financial services industry, yet remains small enough that we can, on occasion, bring the business of parliament to the people who do not live on the main Island. And to think that this can be done at little more than the cost of an airfare on our National Carrier, Cayman Airways—which remains the only direct connection to these Islands—and a few nights stay at two local hotels that are vital to the sustainability of this fragile economy. This is a small cost in the grand scheme of things, but a benefit that can be measured in terms of real direct economic impact on Cayman Brac.

But let us, Madam Speaker, pause for a moment and consider the other immeasurable benefits of hosting this meeting here.

The people of Cayman Brac have always had to deal with the challenges of distance and separation, and the presence of the many Cayman Brac residents who were here this morning who came to witness this rare occurrence bears testament to the importance of us making the extra effort to hold this Meeting here today.

Madam Speaker, when I think of the school children who were here earlier, who knows if [those] sitting in that group is a future premier, speaker, minister, opposition leader, member, representative of Cayman Brac community leader. Madam Speaker, the school children of Grand Cayman enjoy the privilege of hopping on a bus and attending Meetings of the House but the students in Cayman Brac quite simply do not have that convenient access to such a privilege.

Radio Cayman has for many years rebroadcast proceedings of the Legislative Assembly and this has been the only direct connection for the people of Cayman Brac. While we in Grand Cayman have enjoyed the advent of live and rebroadcasted Legislative Assembly proceedings being televised on CIG [Cayman Islands Government] TV, it is not yet broadcast over the air to all the people of Grand Cayman, and CIG TV is not available to any residents of Cayman Brac. So, the average Cayman Bracker has never seen the Legislative Assembly at work. And while sati-

rist will undoubtedly muse at whether they are missing much, it is easy to make light of and take for granted a privilege that others have never enjoyed.

Madam Speaker, I see, in my view, unfortunately, from the media, that the elected Member for North Side thinks that holding this Meeting in Cayman Brac is far too expensive and unnecessary. And I know from hearing with my own ears that at least one other Member on the other side of this House also objects to the Meeting having been held here this week. But, Madam Speaker, let there be no doubt, neither I nor my Government or any right-thinking Member of this House, has any regrets for doing what was possible and so easily achievable, especially when it means so much to the people in this Island.

Madam Speaker, being a representative of the Brac for a long time, yourself, I need not say to you that it is painfully obvious that Cayman Brac is at a crossroads. Population figures are dwindling and businesses are struggling. There still remain a number of people from Grand Cayman who choose to retire in Cayman Brac. But, what can be said for the future of those who are from this Island? While some of our most successful students hail from the Brac, most of them have little or no prospects for finding work here in Cayman Brac so there is a constant brain drain.

The Government recognises the extremely fragile situation that exists and has set about working with the people of this Island to address this critical state of affairs. So, let me tell you, Madam Speaker, a little about some of our successes.

Those of you who have travelled to the Cayman Brac sports complex see that changing rooms are being built, bleachers have been put in place and the perimeter fence is up. It is envisioned that the playfield will become part of the overall sports tourism product of the Cayman Islands. Not too long ago CONCACAF [Confederation of North, Central American and Caribbean Association Football] hosted a friendly football match at the sports complex between the Cayman Islands and Belize Under-15 boys.

Working in conjunction with a benevolent benefactor, we have a new playground near the playfield that is attracting more and more young families each weekend.

We are growing our sports development programmes, including football, track and field, soccer, swimming and cricket.

We know that to help grow the economy of the Brac and Little Cayman we have to attract more visitors to these Islands. We are in the process of completing a whole baggage screening project which means Cayman Airways will be able to fly directly to the United States, Jamaica and Cuba from Cayman Brac, and vice versa, once we have the ability to properly process international flights through the terminal.

We are also looking to develop new airport facilities on Little Cayman.

As for employment, Government has created six more jobs for the Fire Service in the Sister Islands. We know that our fire fighters have been working under extremely stressful situations here and on Grand Cayman.

The Police Service has also taken possession of a patrol boat to help protect the waters off of the Brac and Little Cayman.

We are also looking to create and encourage back office jobs in the public and private sectors. Recently, Cayman Airways opened a new ticket office and reservation centre on the Brac and expanded its cargo facility. The Call Centre will not only bring new job opportunities to Cayman Brac, but it will also offer residents and customers dedicated and specialised services for their travel needs.

Cayman Airways is also looking to lease new larger planes to service the commuter route between Cayman Brac and Grand Cayman. A business case is being produced for the planes and we hope they can be in service by September or October.

Those of you who were fortunate enough to attend the Agriculture Show on the Brac last month, are aware of the new agriculture compound on the Bluff. Government is also looking to expand farm wells and agriculture programmes, including the orchard.

In the realm of Tourism, we are looking to develop safe harbor marinas, sports tourism, nature and family tourism and encourage the Sister Islands as destinations for weddings.

Madam Speaker, in particular, we have been working with the Dilbert family to develop a marina in Salt Water Pond and Cabinet has given the proposed project approval in principle. There are still a number of issues with that matter which the Government is working diligently to resolve.

Madam Speaker, this is what the Government has been seeking to do in the short time since we took Office. Yes, there will be controversy, debate and discussion, but there must be action as well. While we all hope to see more inward investment in the Brac, there are some small things that people in the private sector can do. I wish to use this occasion to encourage more inter-island travel, staycations, private sector board meetings and retreats over here in Cayman Brac and Little Cayman. Every little bit counts!

Madam Speaker, it was only last month that I spent a few days here in the company of the Deputy Premier to see first-hand and discuss with the people of Cayman Brac their concerns. I cannot emphasise enough how important this was for me to do.

As I recognised earlier, Madam Speaker, Cayman Brac is at a crossroads. Coincidentally, we are now entering a new phase politically here in the Cayman Islands as we see a new generation of representatives taking up the mantle of leadership in these Islands. Therefore, by holding this meeting of the Legislative Assembly here in Cayman Brac, it also serves as an opportunity for Brackers to meet and

have direct access to all Members of this honourable House. Because, as we have debated for some time, no matter what electoral district we represent, we are one country, one people, and Cayman Brac is just as important a part of the Cayman Islands as any of the districts in Grand Cayman.

So, I encourage Members to make themselves available to hear the voices and views of Cayman Brackers during our next few days here. That way, when we hold debates and discussions on matters that relate to Cayman Brac, we will have direct information from the people whose futures are directly impacted by our decisions.

To this end, I look forward to seeing Cayman Brackers at the Brac Reef hotel starting at 6:30 tonight, as we hold a small reception, and I encourage all Honourable Members to attend. Let us put our hands and hearts together to address the needs of Cayman Brac.

Madam Speaker, as I close, I am grateful to be a part of history. This simple act of holding a meeting of the Legislative Assembly in Cayman Brac took some planning and organising, but it means more to the people of Cayman Brac than any of us can ever quantify. While it has cost us very little, it has created numerous benefits for the people of Cayman Brac. It has afforded the people the opportunity to see their Parliament at work and it has afforded us the opportunity as their Parliament to hear directly from them what their concerns are at this critical stage in their development.

But simply put, today is a day to honour our fellow Caymanians, the people of our Sister Islands—Cayman Brac and Little Cayman—who are an invaluable part of our beloved Isles Cayman.

The Speaker: Honourable Premier, you can proceed with your second statement.

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

LANDFILL VISIT TO TAMPA, FLORIDA

The Premier, Hon. Alden McLaughlin: Madam Speaker, I would like to take this opportunity to make a brief statement regarding my recent trip to Tampa, Florida, to delve into waste management and the possibilities of workable solutions for the Cayman Islands.

I'm sure Members of this Honourable House will agree with me when I say that finding and implementing a sustainable, integrated solid waste management system is an increasingly urgent issue for the Cayman Islands—not only in Grand Cayman, where we have seen the George Town landfill feature prominently in the local press, but also here in Cayman Brac where the existing landfill is rapidly reaching its capacity, and in Little Cayman where we need to

take steps to ensure that the nearly pristine natural environment of that unique Island is protected.

Clearly, Madam Speaker, as a country we cannot afford to maintain the status quo when it comes to the issue of solid waste management—we need to find solutions that are integrated, sustainable, and will address the issue not only in the immediate timeframe but into the future. This is an issue of national importance Madam Speaker, one that we need to address not only for ourselves, but for our children and our children's children, to allow them to enjoy the same high standard of living and natural environment that we sometimes take for granted.

As Members of this Honourable House will be aware, the Minister responsible for Environmental Health, the Honourable Osbourne Bodden, has embarked upon the process that we believe will identify the best solution for solid waste management for the Cayman Islands. The multi-sector steering committee under his Ministry, which is chaired by his Ministry's Chief Officer, has been working hard on moving this important project forward. Comprised primarily of civil servants with relevant technical expertise, I am confident that this committee's work will help Government identify and implement the solutions that we need, and that these solutions will be appropriately researched, assessed, and therefore successfully implemented to the benefit of the Cayman Islands.

Madam Speaker, I believe that Minister Bodden will be making a statement providing more detail on the work of the steering committee and the process going forward, so I will not go into too much detail about those areas. However, as I indicated in my opening comments, I do want to take a few moments, Madam Speaker, to speak to our recent trip to the Tampa area to visit various waste-management facilities.

Last week Minister Bodden and I travelled to the Tampa area with Jennifer Ahearn, the Chief Officer in Minister Bodden's Ministry, and Chair of the Integrated Solid Waste Management System Steering Committee, and the Director of Environmental Health, Mr. Roydell Carter. The purpose of our visit was to familiarise ourselves with various waste management options, with a particular emphasis on waste-to-energy systems.

Over the course of three days, we visited four waste-to-energy facilities, two landfills, and one recycling processing centre. We had the opportunity to meet with operators, regulators, and government agencies and hear first-hand about their experiences with the technology, the different financing models, and the governance structures. We also got to witness the waste-to-energy technology in action, and gained a better understanding of how it could potentially form part of the integrated solid waste management system for the Cayman Islands.

Madam Speaker, while I know that some have questioned the utility of the trip and wondered why I

went along, I can state without reservation that the trip was very informative and very worthwhile, and it has given me a much better understanding of the very real and complex issue of solid waste management, which I believe is a tangible benefit, given the national importance of this issue.

One very key observation I can make from that trip, Madam Speaker, is that it reinforced my belief in the importance of having an overarching strategy when looking at solid waste management. It is a complex issue with many moving parts, so it is important to take a strategic and rational approach when looking for a solution. We simply cannot afford to take a piece-meal approach to this problem. We need to look no further than the current situation to know that approach will not lead to a sustainable solution.

Madam Speaker, while we need to find a solution urgently, we must not make the mistake of past administrations and attempt to deal with the components in isolation. In order to find the best solution, and increase the chances of its successful implementation, we need to give the Cayman Islands an integrated solid waste management solution that is framed and guided by a national strategy.

I am pleased to report, Madam Speaker, that Minister Bodden has undertaken to deliver that national strategy as part of the on-going integrated solid waste management solution procurement process, and I applaud him for his vision in that regard.

Madam Speaker, the procurement process for major projects like the landfill is outlined in the Framework for Fiscal Responsibility and enshrined in the Public Management and Finance Law. The processes we are required to follow are identical to the one that is being done for the cruise ship berthing project. We must create a Strategic Outline Case, which will provide an overview of the issue and identify as well as broadly assess the various options for budget. The Strategic Outline Case will then form the basis for an Outline Business Case, which will provide further evaluation of the options and result in a better definition of the project for procurement. There will also have to be an Environmental Impact Assessment and stakeholder consultation, which will include the public.

The processes that are in place under the Public Management and Finance Law are there in large part because of the disastrous consequences of the last tendering exercise conducted by government for a waste management solution. These processes will ensure transparency and accountability in the procurement process this time round. While there have been previous tenders, and there are quite a few studies about this subject, the fact is that the previous iterations were not subjected to the level of research, assessment, and scrutiny that the process currently requires.

In conclusion, Madam Speaker, I am happy that I accompanied the Minister and his staff on the trip to Tampa so that I could see first-hand what is

possible in regards to waste management in the Cayman Islands. I now know that we can move forward—and do so aggressively—to solve the waste management issues we have on all three Cayman Islands.

The Speaker: Honourable Minister of Health.

Hon. Osbourne V. Bodden, Minister of Health, Sports, Youth and Culture: Thank you, Madam Speaker.

Madam Speaker, just before I give this statement, I too would like to add, along with my colleagues who have said that they are so happy to be here in Cayman Brac and the warm hospitality that has been afforded to us, and, certainly, I will be the one to advocate for more frequent Parliament sessions in the Brac. As I said to someone this morning, I see no reason why this can't be done at least once annually.

[Inaudible interjection]

Hon. Osbourne V. Bodden: Wherever you want it. We can do each district.

TOUR OF WASTE MANAGEMENT PLANTS AND FUTURE PLANS

Hon. Osbourne V. Bodden: Madam Speaker, thank you for allowing me the opportunity to update the Members of this Honorable House on the progress that my Ministry is making in the procurement of an integrated solid waste management system for the Cayman Islands. As the Premier already noted in his statement, the issue of solid waste management is one of national importance.

Madam Speaker, we have reached the point where we simply cannot afford to maintain the status quo. Many believe that we have now reached a crisis point in regard to our solid waste management, and the urgency of the situation has been underscored by the recent fires at the George Town Landfill. And one only needs to drive past the landfill here in Cayman Brac to see that it appears to be approaching its capacity.

Madam Speaker, these problems have not arisen overnight. They are the result of many decades of population growth, increased consumption, and the lack of an integrated and strategic approach to the problem.

As Members of this Honorable House will be aware, our Government has started the procurement process for an Integrated Solid Waste Management System for the Cayman Islands. I have appointed a steering committee for the project, which is chaired by my Ministry's Chief Officer, and they have been working hard to progress this project of national importance through the procurement process.

Madam Speaker, as I am sure you can imagine or appreciate I do not purport to be a technical expert in solid waste management. I am learning a great deal about it, however, and I believe it is important to be as informed as possible on the subject as we move forward with this important project. While I have the benefit of having a steering committee that has a number of technical experts, who I am confident will provide me with excellent advice and guidance as we move through this process, I believe that as the Minister responsible I should also avail myself of every opportunity to learn more about this subject.

To that end, Madam Speaker, I went to the Tampa area last week to visit a number of waste management facilities to see first-hand what some of the possible solutions might look like. As the Premier mentioned in his earlier statement, we visited four waste-to-energy facilities, two landfills, and one recycling processing centre. We had the opportunity to see the waste-to-energy process in action and learn more about how it works and the different governance structures that we might want to explore as part of our assessment of options in our procurement processes.

It was an incredibly informative trip, Madam Speaker, and I believe that it has given me an enhanced understanding of waste-to-energy technology, and its possible role in the integrated solid waste management solution for the Cayman Islands.

Some detractors have commented that the trip to Tampa was a waste of time, particularly as the processing capacity of the facilities we visited far exceed the waste generation levels of the Cayman Islands. Madam Speaker, the waste-to-energy facilities we visited were indeed much larger than we would need in the Cayman Islands, at least for now. However the technology is modular and easily scaled up or down to fit the needs of the situation. In our case, with approximately 233 tons of waste per day, we would need a much smaller-scale facility than the ones we visited in Tampa that process in excess of 1,000 tons per day. However, these larger facilities process their waste using three or four modular systems.

From my discussions with the people we met with at the various facilities I believe that if our Integrated Solid Waste Management System calls for a waste-to-energy component then we will be able to scale the technology to easily meet our needs.

The facilities we visited had different governance arrangements. One was owned by the government and operated by a private company with the regulator sited full-time at the plant. Another facility was owned and operated by the company, under a 20 year contract with the local government. The other facilities were owned by the local government and operated by the private companies, but the regulator was not located on-site.

We also learned more about the possible different arrangements for the collection and processing of waste, including privatised collection and pro-

cessing, and public-private partnerships for these as well. Madam Speaker, I was able to see first-hand what a waste-to-energy facility looks like, experience the conditions in its vicinity, and see the smoke stacks that do not appear to be belching smoke.

I also noted, with great interest, the proximity of other types of development to these facilities. One of the largest facilities that we saw was adjacent to a large suburban housing community. Another was closely adjacent to other industrial and commercial uses. I was able to see for myself the potential impacts of these large waste-to-energy facilities on their neighbours, and it is my perception that these impacts are much less than one would experience with a traditional landfill.

While there is vehicular traffic from the trucks bringing the waste to the facilities, and some noise from the machines operating the facilities, I noticed that there was a remarkable absence of odour outside the facilities. In fact, within the facilities it seemed that the only place where your nose would alert you to the fact that you were in a waste-processing facility was on the tipping floor itself where the trucks deposited the waste that was brought to the facility.

The other feature that I noted, Madam Speaker, is that while the waste-to-energy facilities reduced the volume of waste by nearly 80 per cent, and there was recovery of ferrous and non-ferrous metals from the ashes, there is still a need to landfill the residual ash. I noted with great interest that the landfill sites were located on a site separate, some quite distant, from the waste-to-energy facilities, and at the landfills we visited the ash was being used as cover material for the landfill. The cost of fill material to cover the landfill is not an insignificant cost for us, Madam Speaker, so if waste-to-energy is part of our Integrated Solid Waste Management System then we may have the benefit of creating cover material for our landfill as part of the process.

Madam Speaker, while I was very excited by what I saw and the information I gathered on my trip to Tampa, and I was very impressed with the waste-to-energy facilities we visited, I want to be very clear that I am not committing us to that technology at this time. As I mentioned earlier in my remarks, I have convened a multi-sector steering committee that is charged with researching and advising my colleagues and I on the best solution for the country. The process which they are undertaking is a requirement under our finance law, and it requires careful assessment and consideration of the various components of a project, including financial, environmental, and legal implications and requirements. The process takes time, but I believe that the approach is well-founded and will result in a better project, with an increased chance of success, for the country.

There have been many detractors who have spoken out against the approach we are taking, and the time they believe it will take to get through the

process. Madam Speaker, many who are not involved in the situation and do not have the benefit of knowing in detail what obtains have called for our Government to do something immediately and forget about the prescribed procurement process. Some have suggested that surely we have already studied this subject enough and we already know what we need to do and really ought to just get on with doing it.

Madam Speaker, I believe that there is no one here today who would like to be able to get the necessary solution in place more than I do. As the Minister responsible for this area, and a man who believes in action, there is nothing that would please me more than to be able to stand here today and advise the country that we have the answer and we are moving full-steam ahead on putting it in place. Unfortunately, Madam Speaker, that is not the case. And with your indulgence I would like to take a few moments to explain why this is so.

Members of this Honourable House are already aware of the Framework for Fiscal Responsibility which has been enshrined in our Public Finance Management Law, and the process that is required for large projects. The stages have been outlined in other statements on this project and the cruise berthing facility. However, I will take a few moments to speak to them again.

The first stage is the production of the Strategic Outline Case, which we refer to as the "SOC", which gives a situational overview and identifies a number of possible project options. This SOC is the basis for an RFP (Request for Proposal) for consultants to review and assess the project options and identify the preferred option based on a multi-component analysis, which is presented in the Outline Business Case, or "OBC". This process results in the identification of a preferred project option that has been subjected to a financial analysis to determine its financial feasibility, an environmental review to delineate its potential impacts, and mitigation of those impacts, and a review of the legal implications and requirements. In short, Madam Speaker, the process should result in the identification of a preferred project option that not only meets the identified needs for the project, but has the greatest chance of successful implementation.

Does this process take time, Madam Speaker? Yes, it does. There is no question about that. However, I do not believe the process represents unwarranted delay, as has been suggested by some. I believe it is time well-spent that will help us to ensure we have a project that not only meets our needs, but has identified and considered potential issues, obstacles, and project impediments, and identified ways to address these prior to project implementation. This should mean, Madam Speaker, fewer delays, fewer cost over-runs and unintended consequences once we reach the project construction and implementation stages of the process. It is effectively front-loading

some of the time, but I am confident that we will see the benefits down the road.

There has already been one impediment to moving forward swiftly that has been identified by myself and the steering committee, and that is the lack of a national strategy or policy for waste management. Normally, when identifying the project options for the SOC the steering committee would start from the basis of the identified priorities and / or strategies for the issue. While we have provided the steering committee with our broad policy guidance, there is no overall waste management strategy to guide them in the identification of project options.

For example, is it our goal, as a country, to pursue a certain percentage of recycling of the waste stream? Or is waste reduction our primary national focus? Without knowing the answers to these questions and others, it is very difficult to define the project options for consideration in the Outline Business Case.

Therefore, Madam Speaker, I have decided that the next step in this process will be the drafting and approval of a national strategy for waste management as I believe it is a critical step to help ensure that we move forward in the right direction and get the right solution.

To that end, Madam Speaker, the steering committee has been working on the SOC for the project that will be submitted to Cabinet shortly. It is my intention to release the SOC to the public once it has been reviewed and approved by Cabinet. The SOC will form the basis for the first consultancy RFP that we expect to go out in the next 4 to 6 weeks. This first RFP will be seeking consultants to deliver services in two stages: the first being the delivery of a national waste management strategy that will help to better identify the project options for assessment; and the second stage will be the delivery of the Outline Business Case that will identify the preferred project option and form the basis for moving into the procurement of project construction and implementation.

I want to assure Members of this Honorable House that we are not sitting back idly while the procurement process is going on. The Department of Environmental Health has worked hard to make improvements to the George Town Landfill, and they are working on identifying and implementing some short-term improvements at the landfill here in Cayman Brac as well. The Department will continue to make every effort to ensure that the service they provide, and the management of their landfill sites on all three islands, are optimised.

Obviously we need to make sure that any measures we take in the short-term will not negatively impact our ability to implement the long-term solution once it is identified, so we are carefully assessing the improvements as we go to ensure they meet our short-term objectives without unintended long-term consequences.

Madam Speaker, the Premier made it very clear in his statement that this is an issue of national importance, and I want to assure the Members of this honourable House and the residents of the Cayman Islands that I am taking this issue very seriously. My Ministry, the Department of Environmental Health, and the project steering committee, are working assiduously to identify and implement an integrated solid waste management system for the Cayman Islands, and as part of this process we will, for the first time, have a national solid waste strategy to guide them in their work.

I believe, Madam Speaker, that we are on our way to finding the best solution for the Cayman Islands, and I want to thank the Members and the public for their continued support as we move this project forward.

Thank you, Madam Speaker.

Hon. W. McKeever Bush, Leader of the Opposition:

Madam Speaker, I am seeking direction from the Chair as to whether this is an appropriate time for the matter that was asked, which we put off until this point.

The Speaker: Honourable Leader of the Opposition, as I understood the wishes of the House earlier; that it would be entertained after the conclusion of the rendering of the government statements. That having been done, this is now an opportune time.

Hon. W. McKeever Bush, Leader of the Opposition:

Madam Speaker, I will be seeking . . . I think I have alerted the House and the Premier and some of his colleagues, at least, as to what my intentions are, and I would therefore have a motion that I would tender.

The Speaker: Is that separate and apart from the motion under Standing Order 11(1) and (2)? The first step would be to get the approval for the adjournment.

Hon. W. McKeever Bush, Leader of the Opposition:

Madam Speaker, I am seeking, yes under [Standing Order] 11(1) and (2), to be able to bring that matter before us via a motion. And so, we would have to deal with Standing Order [11] (1) and (2), and, therefore, Madam Speaker, I ask that I be allowed to do so at this time.

The Speaker: In accordance with Standing Order 11(2)—“**A motion under paragraph (1) may be moved by any Member who shall give notice of his intention to the Presiding Officer. The Presiding Officer may decline to propose the question to the House if he considers it an abuse of its rules.**”

To the representation and intimation that has been made to me I do not find that it is an abuse of the House, so leave is given for a movement of the adjournment at this time.

MATTER OF URGENCY*[Standing Order 11(1) and (2)]***Hon. W. McKeeva Bush, Leader of the Opposition:**

Thank you, Madam Speaker, for your indulgence and I hope that that means that the Government is in favour of me moving further forward with the resolution. To do that, I would move the resolution and that . . .

The Speaker: You have to move the Motion first.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

I thought, Madam Speaker, that we had agreed that we move the adjournment so that we can come to this point.

The Speaker: Yes, Honourable Leader of the Opposition. We have to move the motion for the adjournment. The House will vote on that. If it is negative then it will continue with the existing business of the House. If it is approved for this specific purpose and for the House to reconvene, then you move into your motion.

Hon. W. McKeeva Bush, Leader of the Opposition:

Madam Speaker, then in accordance with Standing Order 11(1) and (2)—

[Inaudible interjections]

Hon. W. McKeeva Bush, Leader of the Opposition:

—down to 4.

[Inaudible interjections]

Hon. W. McKeeva Bush, Leader of the Opposition:

Yes, Madam Speaker, I thought that under Standing Order 11(1) and (2), down to [sub-clause] (4), I think where it is accepted or negated, that I propose we adjourn the House to deal with this specific matter. Once that is done and agreed, Madam Speaker, then I move forward and a vote will be taken as to whether this matter is accepted or not. I think that is the process.

The Speaker: Yes, please proceed accordingly.

ADJOURNMENT**Hon. W. McKeeva Bush, Leader of the Opposition:**

And again, I think, but out of an abundance of caution I do move that the House adjourn at this time.

The Premier, Hon. Alden McLaughlin: Now move your motion.

The Speaker: Now proceed with moving your motion, Honourable Leader of the Opposition.

APPROVAL OF DILBERT'S MARINA AS INFRA-STRUCTURAL DEVELOPMENT INITIATIVE FOR CAYMAN BRAC

Hon. W. McKeeva Bush, Leader of the Opposition:

Thank you, Madam Speaker.

Madam Speaker, I will have a seconder for this Motion but the Motion would read:

WHEREAS successive administrations have struggled over the past 30 years to provide an economic development catalyst to the declining economy of Cayman Brac;

AND WHEREAS tourism is the single largest sector of the economy of Cayman Brac;

AND WHEREAS the stench from the Salt Water Pond has plagued the main tourism district and has been identified as the most major ulcer on the tourism product of Cayman Brac;

AND WHEREAS the Brac Development Company has proposed to develop a modern marina/safe harbour for boaters, utilizing the Salt Water Pond as the basin of the Marina, which would irrigate the pond and cure the stench; provide a major economic stimulus for Cayman Brac and enhance the economic capacity of the Island, while instilling investor confidence in the Island;

BE IT THEREFORE RESOLVED THAT a Brac Environment Oversight Committee be appointed by the Government, comprising of representatives from Cayman Brac's community whom possess the requisite local knowledge of the area and the environment, with any necessary technical expertise being provided to advise the committee. The ambit of the committee is to include general oversight of the project with specific attention to providing environmental safeguards.

BE IT FURTHER RESOLVED THAT the House consider giving full support for the Dilbert's Marina, inclusive of an appropriate channel at the southwest of the Salt Water Pond, contingent on any environmental impact assessment resulting from the project being within acceptable limits, or the mitigation measures proposed by Brac Environment Oversight Committee will result in the same.

BE IT FURTHER RESOLVED THAT the issue be dealt with in as expeditious a manner as possible, at least by within eight (8) weeks;

AND BE IT FURTHER RESOLVED THAT all such projects in Cayman Brac be given similar treatment.

The Speaker: Is there a seconder?

Capt. A. Eugene Ebanks, Fourth Elected Member for West Bay: Madam Speaker, I beg to second this very important Motion.

The Speaker: Thank you.

Honourable Premier, do you have an interjection before I put my question?

The Premier, Hon. Alden McLaughlin: Madam Speaker, it's a request, really. Can Members on this side have a copy of the Motion so that we could consider it?

The Speaker: I believe it is in the possession of the Serjeant. He will retrieve it and get it.

Hon. W. McKeever Bush, Leader of the Opposition: In the interest of time, Madam Speaker, may I continue?

The Speaker: Once I put the question then yes sir.

The question is: BE IT THEREFORE RESOLVED THAT a Brac Environment Oversight Committee be appointed by the Government, comprising of representatives from Cayman Brac's community whom possess the requisite local knowledge of the area and the environment, with any necessary technical expertise being provided to advise the committee. The ambit of the committee is to include general oversight of the project with specific attention to providing environmental safeguards.

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BE IT FURTHER RESOLVED THAT the issue be dealt with in as expeditious a manner as possible, at least by within eight (8) weeks;

AND BE IT FURTHER RESOLVED THAT all such projects in Cayman Brac be given similar treatment.

The Motion is open for debate, does the Honourable Leader of the Opposition wish to speak thereon?

Hon. W. McKeever Bush, Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, may I offer my thanks and appreciation to the Chair and to Members of this honourable House for their indulgence in allowing us to move forward with a motion that I could only really put together once I got here to Cayman Brac and saw what is intended, and to see the specifics of what people were saying, the need for this project.

Brac Development Company Limited, Madam Speaker, first proposed the construction of a marina during my tenure as Premier of these Islands. I immediately saw the economic potential of this project and following a careful review process, approval in principle was granted in February 2010 by Cabinet for the excavation of Salt Water Pond and the creation of a channel and safe harbour in Cayman Brac on Block 95C, Parcels 36 and 37.

Madam Speaker, it is not good to include the Speaker in any discussion, as such, but the Speaker will remember (since the Speaker was the Deputy Premier in Cabinet and a representative of this District) that she very much supported the process that we took to move this forward. And I should say, Madam Speaker, that the First Elected Member [for Cayman Brac and Little Cayman] (who is now the Deputy Premier) also supported that process. But four years later, Madam Speaker, we are still discussing the approval process for this much-needed project, while the people of Cayman Brac are growing in despair.

It is for that reason that we offer an opportunity for the entire Legislative Assembly to participate in structuring a way forward that will result in this beacon of light (I call it) for the Cayman Brac's economy to move forward in a timely manner.

Madam Speaker, overall general sentiments shared among most residents of the Cayman Islands is that Cayman Brac has not been as successful in the international market as Little Cayman and Grand Cayman because of identity problems. Little Cayman and Grand Cayman have been able to identify their markets, capitalising on the contrast between the two Islands and have geared their offerings accordingly. As Grand Cayman continues economic growth and diversity, Little Cayman has strived on simplicity and tranquility.

As Grand Cayman continues to increase its activity via cruise ship arrivals and more airlifts, a new market for returning visitors looking for a destination in between a busier Grand Cayman and a quieter Little Cayman is slowly emerging of which Cayman Brac is the perfect location. However, Madam Speaker, the Island must adapt and provide a larger variety of activities so to compete internationally and ensure the country does not lose those patrons. Introducing a marina into Cayman Brac not only provides the Island with an identity but also ushers the Cayman Islands into a new tourism market.

Destinations such as St. Maarten have made a success of attracting this sort of tourism. Since first breaking into the tourism market in 1943, for instance, St. Maarten is now known as the Caribbean capital for yachting events and charters, which now represent 17 per cent of the country's overall economic activity. Considering Cayman Brac is approximately a one-hour flight from Miami, it can be very appealing as a location for yachting patrons—those who crave, those who want, who love yachting.

Introducing facilities that are able to accommodate luxury yachts will help cast a bigger net and diversify the Cayman Islands offerings. This, in turn, Madam Speaker, makes the destination more appealing to international visitors, which are of strategic importance to the Cayman Islands considering tourism is one of the pillars of the economy. And this is the trend in neighbouring countries such as Jamaica, Honduras, Mexico and Cuba.

Outside of tourism, the economic benefit and value of safe harbours is evident throughout the world as demonstrated by value of the land and spinoff commercial activity surrounding safe harbours throughout the Cayman Islands. Areas such as the North Sound, South Sound, South Hole Sound, Governors Harbour, Grand Harbour and Camana Bay are all excellent examples where natural or manmade harbours have sparked economic activity that has significantly contributed to the overall lure of the Cayman Islands.

Currently, Cayman Brac is the only Island of the three that is not fortunate enough to have some sort of safe harbor. Despite this, Madam Speaker, the people of the Island and the Caribbean Sea have, yes, an eternal link to one another as per our history and our heritage. We believe it is important that the country identifies this pastime as an area for economic growth.

A vibrant and very high value and consistently active real estate market, for instance, is often one of the primary measurements of a country's economic wellbeing. Land value within the Cayman Islands is a vital asset to the country, as the income from activity in the real estate market contributes to an overall wealthier country and generally results in subsequent economic activity. As land surrounding the safe harbour is sold and resold, this would generate income for the Cayman Islands Government via stamp duty. As a customary bi-product of a development like this, Madam Speaker, over time the value of land will rise, therefore resulting in an increase in present and future stamp duty collection. And this is what some people have failed to see in this development.

Some people in Grand Cayman . . . because as I came here . . . well, as I have known ever since I started coming to Cayman Brac, that pond was one of the areas that was always put across as, *Well, we are going to develop this. We are going to make this some sort of boating harbor.* Ever since I know myself coming to this Island that is what was said. Now we have someone who can do it, is willing to do it, and, in fact, has made a tremendous investment and took the time to build a beautiful product for tourism. We should now move ahead. It can't be any more *ifs, ands and buts*, and with people in Grand Cayman trying to stop something that is vital and needed for Cayman Brac. So landowners will benefit; all of those around that property.

So, we believe this sector of the tourism market is something of a peculiar interest to the Cayman Islands but, in particular, at this very moment to Cayman Brac. And therefore, Madam Speaker, we do not need to look around and ask questions as to whether this is good for us. It is a good product that is being proposed which will advance the Island of Cayman Brac and the economic viability of the Island.

Neighbouring countries share this sentiment and confidence in the future and the opportunities this sort of tourism and investment and incentive can bring. For example, in anticipation of relaxed travelling requirements between Cuba and the United States, the Cuban Government has already partnered and started constructing the largest marina in the Caribbean in Varadero, only 80 miles from Florida, home of the world's largest collection of yachts.

Madam Speaker, just several weeks ago in the *Sun Sentinel* I think it is, in Fort Lauderdale, they made an announcement where all of the intracoastal channels have now been deepened and widened because yachting brings in billions of dollars and they were not reaching the capacity that yachting offered. While, of course, you know South Florida and the Miami area that we all know, has that tremendous economic impact because of yachting. But they saw fit to deepen the Intracoastal Waterway so that yachts could get in to marinas. And here we are, Madam Speaker, listening to people who say they are environmentalist, you know. Some of them they would not know a lobster if they saw him backing out with a lime lizard. So, I don't take all that they have to tell me about how much they love the environment and how much we don't love it.

Madam Speaker, we cannot save a dozen birds and kill people here, or let people here in Cayman Brac suffer. Can't!

So we in this House have a great responsibility to take matters by the hand when our representatives are being buffeted and knocked around and pulled here and there and are told that they can't do this and can't do that by people who sit on boards, but do not have the responsibility to stand before the public and let light be shed on them, like how you would do a cockroach. And you know when you shine light on a cockroach what they do—they run.

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, Cuba needs to be of interest to us. Just last week the Cuban Parliament opened up for more business allowing foreign investment within the next 90 days from one end of the business spectrum to the other—from agriculture right down to construction, tourism. Agriculture, something that was sacrosanct in the Cuban economy, they are not saying that that is open for foreign investment; something that the Cuban Government kept to themselves. And we here

are sitting . . . we can row about everything and complain about everything and talk about everybody. Madam Speaker, that does not help us. We need to take the bull by the horns and do the necessary matters.

We are not asking the Government here, Madam Speaker, to do something that they cannot do. They can do it. We have a department of environment, Madam Speaker. Yes we do, but the truth is, let them deal with the problems in Grand Cayman. Cayman Brac has produced a good Immigration Board. And, by the way, Madam Speaker, again, I would just draw the Speaker's attention to the fact that we had to do the same thing with the Immigration Board as what we are doing here today. We created that board because of people telling Cayman Brac people they could not do this and they could not do that and permits went to who they wanted to go to. We had to do it here. And they created their own board and it works. It is the same thing with Planning. It was the same thing with the people in Grand Cayman lorded it over development here and stymied development and only a certain few could get anything and, therefore, we had to create their own Planning here as well.

And in the roads work, Madam Speaker, as much as they cussed the roads, we know about that. We just built one in West Bay, and I took a cussing and I lost votes over it, and now I see the same people who held up the placards, they are going *heh, heh, heh, heh*, all the way down, Madam Speaker. They are proud of the highway and they are using it.

Mr. V. Arden McLean, Member for East End: Which highway?

Hon. W. McKeeva Bush, Leader of the Opposition: The one that we built. And the one that the Member for East End helped with too.

[Laughter]

Hon. W. McKeeva Bush, Leader of the Opposition: He is asking but I am sure his memory is not that short.

So, Madam Speaker, we need to take and be cognisant of what Cuba is doing. So as these other neighbouring countries continue to bolster their marine offerings, in the years to come this will help entice more charter activity in the western Caribbean on a whole, stopping in destinations such as the Bahamas, Turks and Caicos, Jamaica, Cuba and the Sister Island. And considering Little Cayman is within very close proximity to Cayman Brac, it too will benefit as wealthy investors will invest in Cayman Brac instead of Little Cayman in support of the initiative to keep Little Cayman as an underdeveloped or undeveloped ecotourism destination, easily accessible via two jets accommodating international airports.

Madam Speaker, not only are we under threats from Cuba, but the fact that Cayman Brac lay where it is geographically, it is within the shipping lanes and within the sailing lanes. And not one, but two, if necessary, marinas will help the Cayman Brac economy. It is dying on its feet. And I am not here, Madam Speaker, to pound and to down-spirit people, but the fact is that from the last time I came here until this trip, you can tell a whole lot of difference in the economic downturn in this economy where small businesses have gone out and people only have 20 hours a week work and people cannot pay their mortgage and they cannot pay their loans and some of them are having a difficult time.

It is only a short period of time before Cayman Brac blows up to have some of the criminal activity that we have in Grand Cayman. And I say to you Members who might have thought, or might be thinking, not to support us. But if you are talking about going to that reception tonight, I do hope that people come and I do hope that you talk to them. But if you can't, just get some time to go around Cayman Brac and you are going to see what I am talking about young people who need work. And the only place for them to come is Grand Cayman, but we do know that we have our own unemployment situation.

So where are we? Where are we? These are the kinds of projects that the Government must and can move forward. They have already said they are willing and have made some effort. Madam Speaker, I think this widens their effort and takes some of the headache away from them, if you don't let Grand Cayman pound you into the ground because of their environmental likes and dislikes.

Madam Speaker, one thing we have to recognise is that a significant amount of Cayman Brac's overall economic activity is largely due to the normal day to day business expenses, business related travel, infrastructure projects, employment non-profit services and social services provided by the Cayman Islands Government. A trip like this, Madam Speaker, as small as it is, brings a little bit of economic activity into Cayman Brac. Since the Government is the largest employer, spending entity and developer on the Island, it carries a tremendous burden as private businesses and residents rely heavily on the direct and indirect commerce the Cayman Islands Government generates.

And you know what happens when that is going on, Madam Speaker? Far too many people then have it and can still lord it over people that have been trying to do their own thing putting their own money forward. But down in Grand Cayman we have these people, because government has to give them this money. Whether it is civil servants, whether it is people in authorities, they lure it over this little Island. And there is no need for it because in the past this Island has withstood the test of time by doing the things that

they have done to help themselves—building their own hospital, their own care for old people.

While Cayman Brac hosts the largest resident population in the Sister Islands, it also has the most participants in the Cayman Islands Government assistance programmes. As I understand, somewhere between 250 and 300 applicants received aid for food, utilities, medical bills, renting and clothing. And if we don't do something it is going to get worse. And all of us in Grand Cayman know that we are pounded on everyday as representatives by people who say that they can't get anything from Social Services. That means more and more people are trying to get from Social Services, while we can do something here to hinder some of that.

While we promised to reduce the number of personnel employed by the public sector (and this Government has done that), because the private sector in Cayman Brac is unable to absorb those individuals, the Cayman Islands Government risks increasing its expenditure as the number of people on social assistance programmes rise. I understand that it is anywhere between \$13 million and \$16 million that we subsidise the Island. So, if we do not do something we will keep on subsidising it and we will have to create more subsidy. Without some sort of stimulus allowing the private sector the ability to grow, the economic welfare of Cayman Brac will continue to be unstable and Cayman Brac will remain dependent on the other main Island.

Madam Speaker, from what the document says, it is estimated that construction of the safe harbour will be approximately one to one and a half years from start to finish. Constructing the safe harbor will require anywhere between 20 and 30 employees directly hired by the developers along with employment created as a result of engaging local heavy equipment operators and trucking services to facilitate stockpiling the fill and other things that will go on. People who have small businesses will be impacted. People who sell fuel will be impacted.

We also estimate, Madam Speaker, that they say constructing the safe harbor to be approximately \$4.5 million. And as the economist tells us, that amount is multiplied three times into any community. So, it becomes \$13.5 million that this project will generate in its time, if not more. That will be circulated within the Sister Islands. This much-needed activity will no doubt stimulate the local economy through the rehiring of staff, rental income from any workers brought over from Grand Cayman, increase in revenue for Port Authority, stamp duty collection for the government and much more.

All sorts of things can happen with this, Madam Speaker. Opportunities for employment will significantly rise upon completion of the safe harbor, as over time the surrounding land is developed. Construction of roads, residential houses and condominiums and hotels, bars and restaurants, dive shops and other

commercial buildings, property subdivisions, land sales, expansion of all tourism related services industry, including diving, snorkeling, fishing, automobile rentals, tours, charters, bed and breakfast, domestic helpers, and on and on you go. General watersports operators, gift shops, shipping agents and other new industry possibilities will result in many new employment opportunities.

As a result of these new industrial opportunities, Madam Speaker, careers in fields not currently found in Cayman Brac in the private sector here will slowly be introduced affording Cayman Brac school leavers the opportunity to return to Cayman Brac and work in their preferred and studied fields.

Madam Speaker, we just heard that they are now looking at the bigger plane. Growth in Cayman Brac's tourism industry is challenging because there is only one point of entry to the Island mainly serviced by two 14-seater Twin Otters. And these aircrafts frequently cause problems with visitor travel to and from the Sister Islands as the seating or weight limitations cause delays, and/or cancellations. And so, in recent times it has become more and more evident.

So, Madam Speaker, if we can develop good alternatives with the proper marinas, then that helps the tourism industry. It creates a new kind, a different kind, not wholly and solely dependent on air travel, as that becomes more and more difficult.

Madam Speaker, I would hope that the Government can move forward with some of the amendments that I have made to the Motion to facilitate government and to make it easier for them to work together as a government. Nobody knows better than me how much that is a good thing.

Madam Speaker—

Moment of interruption—4:30 pm

The Speaker: Honourable Leader of the Opposition, we have reached the hour of interruption.

Honourable Premier?

SUSPENSION OF STANDING ORDER 10(2)

The Premier, Hon. Alden McLaughlin: Madam Speaker, Standing Order 10(2) provides that, "**At 4.30 p.m. the proceedings on any business under consideration shall be interrupted, any motion which has been moved for the adjournment of the House shall lapse . . .**" And so, in order to avoid that consequence, I move the suspension of Standing Order 10(2) so that the business of the House, presently underway, may be concluded.

The Speaker: Just out of clarity, the business, referring specifically, Premier, to the Motion at hand, or do you want to go into Bills as well?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker, the business underway, which is this adjournment MOTION.

The Speaker: The question is that the Motion currently before the parliament be allowed to continue beyond the hour of 4.30 pm. All those in favour, please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

Agreed: Motion currently before the parliament allowed to continue beyond the hour of 4:30 pm.

The Speaker: The question now is that Standing Order 10(2) be suspended so as not to be ring-fenced within the latter part of 10(2). All those in favour, please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: Leader of the Opposition.

MATTER OF URGENCY

[Standing Order 11(1) and (2)]

APPROVAL OF DILBERT'S MARINA AS INFRA-STRUCTURAL DEVELOPMENT INITIATIVE FOR CAYMAN BRAC

[Continuation of debate thereon]

Hon. W. McKeever Bush, Leader of the Opposition: Mam Speaker, I will try to windup as quickly as I can here. But I want to move next, because what was proposed was [what] I would say an attack—but let's call it something else—on the coastal works licence that was given.

The Department came up with quite a bit of negatives as to why you can't. And I have seen what the Department of Environment has said in their objections and it is word for word that they always put in, in every objection that they ever wrote about coastal works licences—word for word. It just seems like a cut and paste. And if you went by that nothing would get done. So, you can't go by what they have said in its entirety. They talk about a marine park.

Madam Speaker, we know that in anything we do in our natural environment, you can't get something done unless you do some work in it. There is never a case of something for nothing. You are not going to get omelets unless you break the eggs. But

some of what they have been saying just has no merit in it.

Look at what they said. You go down there, Madam Speaker, where that channel is going to be. Now if you have not gone, go and see; those of you who are not used to the Cayman Brac coastline. They say, Madam Speaker, that it is going to remove active turtle nesting that goes on there. I don't know about any turtle nests being built in any rock—never heard it in my entire life. And if you go there I do not know where in the world turtle nests could be built down there. But the Department of Environment moved to contradict the developer by knowingly using wrong information to support their dictum that turtles are nesting in those rocks, and thus to stop the project from moving forward. They knowingly used wrong information to stop the developer from moving forward.

I see the Minister responsible shaking his head. I am hoping that he is shaking his head negatively in the understanding that that is a bad thing they did. But if he is shaking his head saying that it was not done, you are making a big mistake.

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: Sorry?

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: No, but you know I have to pay attention to faces and to actions and who is talking to who sometimes. You don't get up in this House unless you know where you are going.

Madam Speaker, that is not a good thing for any department in government or any authority to do, because who says what they will do in anything else that you are doing, that they will go to those lengths? So, Madam Speaker, I would say to them to just go down there and see where any beaches are there where turtles could lay eggs. Not in that spot. That is rocks.

Madam Speaker, they say that the requirement for frequent maintenance dredging to keep the channel clear following storms and the routine deposition of sand as it moves westward along the coast would present an ongoing disturbance issue from mechanical clearing and sedimentation. I believe, Madam Speaker, that any time you do a channel there is always clearance to be done. When and if that happens the owners will or must clean it properly for their own survival. It is their business. So, that is something that is a natural given over a period of years.

They talk about the risk of increased flood risk and storm damage from the sea. Madam Speaker, let's look at it. If the ridge down there is 10 feet, any surge coming in below that will not hurt because you have 10 feet of height. If any surge is higher than 10

feet, then nothing would stop it unless you build the wall of Jericho around it.

A good example, Madam Speaker, is that we have been told for years that, *Oh, you have to save the reef*. Now we know that we want our reef in Grand Cayman protected. *But you have to save it because that is going to stop hurricanes. Oh, you got to have the mangroves because that is going to stop the surge*. Well, Madam Speaker, what happened in Grand Cayman in Ivan? When that sea comes in that is above that height it is coming through. No mangrove buffer, no mangrove is going to stop it.

Yes, we have to save some of the mangroves, particularly those on the foreshore of our natural habitat areas because that's where the breeding ground is. But you know the truth is that we do not even know how much we are getting sick and being poisoned over some of the swamp that we must keep spraying and spraying on everything we have, our water, fruit and everything. We don't know. But yet we are told that we have to keep it. *If a hurricane comes you are going to need it*. Oh yeah? Well I think most of us remember Ivan and how much that water came in and no mangrove buffer stopped it. If that water is going to come in, it is going to come in. You can build the wall of Jericho around your island if you want.

Some of these things, Madam Speaker, I just cannot believe that they can take and stop a project with as they have tried to do with this. And you know what they have done—not only did they do this but there was an orchestrated effort on *CNS* to badmouth the developers and have all manner of evil said when people put up their time, their money, their family's worth, their name, their hard work, their sweat to get a project and do something for Cayman Brac. They are out there making the world believe that these are the worst people in the world. That sort of thing, Madam Speaker, those sorts of reason alone . . . I would vote against them anytime they come with their foolishness.

Birds? Madam Speaker, people are more important than birds. I've been here since Sunday and I've counted seven up there. And now we must sit back and not do anything because we are going to save birds that come . . . the birds that are smart enough are smart enough to go and come. We are stuck here and it is not good for that property that so much work has been done to get it to where it is.

Madam Speaker, the Cayman Brac business community has met also, most of them. I would hope that the representatives here would receive the correspondence that I have received from them saying that they—

The Speaker: Honourable Leader, is it your intention to table that sir?

Hon. W. McKeeva Bush, Leader of the Opposition: I don't know yet, Madam Speaker, because I have not read it yet.

The Speaker: Well, just to put you on notice that if you intend to read it, I am going to ask you to please table it.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, yes, I don't mind tabling this because this is not something that is hid under a carpet.

This letter was signed by 21 staunch Cayman Brackers, solid Cayman Brackers, educated Cayman Brackers and Cayman Brackers with good commonsense. And they said:

"Today a group of Cayman Brac business people, community leaders met, no Government employees. A unanimous decision was made in support of the Marina proposed by Mr. Cleveland Dilbert.

"The twenty-one (21) men and women in attendance took a unanimous vote in support of the project.

"It was further agreed that the Government is asked to ease Cayman Brac from environmental restrictions for the next five years to give Cayman Brackers opportunities to undertake projects that offer progress for Cayman Brac to improve the economy.

"In conclusion, we ask Government to approve this project within the next two (2) weeks without further hindrance."

As I said, I do not think that we need to call their names, but I will table it so that Members can get a copy of this document.

The Speaker: Thank you.

Hon. W. McKeeva Bush, Leader of the Opposition: They know what they are feeling, and no matter what the Minister might say or what the Department of Environment might say, Madam Speaker, they can come and tell me that they have been working on it; they have said that, but they need to do the right thing.

Personally, I do not believe that giving permission to dig a big hole does anything to help that development, because the developer would have to go and spend \$1 million, \$1.5 million or \$2 million to dig the hole and can't do anything else but would have to spend money to put in the safeguards, the seawalls and not know whether he can get a channel. That is why this Motion is worded the way it is—an appropriate channel.

Madam Speaker, no! We are not dumb, we are not blind, and we are not deaf. Some of you have degrees in law and other degrees, and we have good-commonsense. We know what is good, what we need to do. We know when we need to take the bull by the horns and do it, and now is the time for that. Now is

the time for action. I applaud the Premier in his statement that he made earlier about the things that they are trying to get done here in Cayman Brac.

Madam Speaker, I believe that what we are seeking to do is practical. It is a commonsense get-the-job-done approach to this project. I repeat: this has no bearing on Grand Cayman but it is prohibiting a very excellent tourism product, an excellent well-built and furnished hotel from being as successful as it can be, and we should all consider that that is not right. We need to do something now about it.

The Government says it is willing, but I think the parameters of what we have drafted here, we can all live with as sensible legislators working together—as we all should—to get something done like this. I thank you, Madam Speaker. Again, I thank you for your indulgence. I thank Members for their indulgence in allowing us to get thus far. I hope now that they will do the other thing and support the Motion.

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, Members on this side have only had sight of the Motion since the Honourable Leader of the Opposition started speaking. I would like the opportunity for us to have a chance to discuss it before we come back and take a formal position with respect to it. So, if I may ask you, Madam Speaker, if you would grant us a suspension of 15 to 20 minutes.

The Speaker: Thank you, Premier.

The House will stand suspended for the next 20 minutes to allow the Government to deliberate on this important matter.

Proceedings suspended at 4.49

Proceedings resumed at 5.42

The Speaker: Please be seated.
Proceedings are resumed.
Honourable Premier.

ADJOURNMENT

MATTER OF URGENCY

[Standing Order 11(1) and (2)]

APPROVAL OF DILBERT'S MARINA AS INFRA-STRUCTURAL DEVELOPMENT INITIATIVE FOR CAYMAN BRAC

AMENDMENT TO MOTION

The Premier, Hon. Alden McLaughlin: Madam Speaker, I wish to thank you and Members of this House and those who have also been waiting patient-

ly in the Gallery for your graciousness in allowing us some time to consider this important matter carefully.

Madam Speaker, as a result of those deliberations, I am proposing to move a small amendment to the Motion, which I have discussed with the Honourable Leader of the Opposition, and he has indicated his agreement. Madam Speaker, it really consists of only one word and the deletion of one letter, so it is really a small amendment.

Madam Speaker, if I could direct your attention to the second resolved section, the resolution reads this way at present: "BE IT FURTHER RESOLVED THAT the House consider giving full support for the Dilbert's Marina inclusive of an appropriate channel at the southwest of the Salt Water Pond, contingent [on] any environmental impact resulting from the project being within acceptable limits, or the mitigation measures proposed by the Brac Environment Oversight Committee [will result] in the same."

Madam Speaker, the proposed amendment will be the deletion of the "y" in the word "any" in the third line, and the inclusion of the word "assessment" after "impact" in the same line, so that the resolved resolution will now read: "BE IT FURTHER RESOLVED THAT the House consider giving full support for the Dilbert's Marina inclusive of an appropriate channel at the southwest of the Salt Water Pond, contingent [on] an environmental impact assessment resulting from the project being within acceptable limits, or the mitigation measures proposed by the Brac Environment Oversight Committee will result in the same."

Madam Speaker, having read this, the last sentence probably needs to be grammatically corrected so that instead of saying "will result", it should say "resulting". But that's a consequential change; that is not what we are proposing. So, Madam Speaker, that is the Motion that I move. And I believe the appropriate course now is for that Motion to amend to be open to debate before we move on to the substantive Motion itself.

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, the important part of this Motion would have been the two . . . well the four resolved pieces to it, of course, which is creating the Environment Oversight Committee, comprising of people from this community. And their ambit is to include general oversight of the project with specific attention to providing environmental safeguards. That is a resolved section not changed.

"BE IT FURTHER RESOLVED THAT the House consider giving full support to the Dilbert's Marina inclusive of an appropriate channel at the southwest of the Salt Water Pond, contingent on an environmental impact assessment resulting from the pro-

ject being within acceptable limits, or the mitigation measures offered by the Brac Environment Oversight Committee resulting in the same.”

So, once again, the Brac people are going to have the say on this. The key thing for me is that it sets some timeframe in this in as expeditious a manner as possible, at least within eight weeks. So, it sets a timeframe when nobody from the Department of Environment can draw this out forever. And the next thing is that we give consideration for similar treatment for other similar projects.

Madam Speaker, it does not say that an environmental assessment is going to have to be done. It says that if it is “within acceptable limits”, which was the letter given to them before in any event.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

If that is what the Government is saying, then, Madam Speaker, the three of us on this side are not going to be able to stop it if that is what they are saying they want.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

It’s not saying, though, that there will be an environmental impact study. It says if the Committee . . . “contingent” on that “assessment resulting, though, from the project being within acceptable limits, or the mitigation measures proposed by the Brac Environment Oversight Committee . . .”

And, Madam Speaker, the developers have put forward the mitigating factors already, which are, I think, more than enough for mitigation purposes. As I said earlier, Madam Speaker, you are going to cut the foreshore to get the channel, so that is accepted. That is an impact but that is accepted, you can’t get it done unless you do that. So, once we all understand that, then we will have to go forward with it. What I think the Government is asking for is belt and braces.

The Speaker: Honourable Premier, did you wish to respond to anything that was just said?

[No audible reply]

The Speaker: Okay.

Does any other Member wish to speak on the amendment as proposed by the Honourable Premier? [pause]. Does any other Member wish to speak to the amendment?

I recognise the Honourable Minister responsible for Environment.

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

Madam Speaker, the intention of the amendment, as proposed, is to ensure that an environmental impact assessment is carried out. There is a concern that in making a decision on this proposal on whether a channel can go safely there and what mitigation steps can be taken to lessen the amount of any environmental damage that may be identified . . . we need to have some objective analysis of this.

Madam Speaker, the Leader of the Opposition spent quite some time castigating the Department of Environment. And I know when he was the relevant Minister he was quite happy to do that at that time as well. I think the record will reflect that he has a long history of having considerable difference of opinion with the Department of Environment. But I am not going to stand by and let him make statements and accuse the Department of Environment of dishonesty without commenting.

POINT OF ORDER

Hon. W. McKeeva Bush, Leader of the Opposition:

Madam Speaker, is the Member speaking to this?

The Speaker: Please state your point of order, Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition:

Well the point of order is: what is the Member debating? Is he debating this amendment or is he debating the substantive Motion? He is going on to talk about my comments in my opening remarks. If he wants to go ahead, let him go ahead, because I have the right to answer—and answer I will, Madam Speaker. But I dare say that he has no right to go on where he is going on at this point in time. He can do that on the substantive debate.

Hon. G. Wayne Panton: Madam Speaker, I accept the Member’s point, and, subject to the clarification made, I will let us get on to dealing with the amendment. Thank you very much.

The Speaker: Does any other Member wish to speak to the amendment? [pause] Does any other wish to speak to the amendment? [pause] Last call: Does any other Member wish to speak to the amendment? [pause].

Member for East End.

Mr. V. Arden McLean: Madam Speaker, just briefly and then I will speak on the substantive Motion as amended, because it will be amended.

Madam Speaker, when the Minister got up actually started his debate in the right direction when he said that the objective of the amendment was to ensure an environmental impact study was carried out. And that is the objective of the amendment. Now, Madam Speaker, we all know that there are environ-

mental impact assessments and then there are environmental impact assessments, wherein we put such requirements in these assessments that they never meet where no one or nothing can reach the requirements.

Now, Madam Speaker, what I implore the Government to do in this regard, which is going to be as a result of this amendment, is that at some stage somebody has to keep a close eye on this environmental impact assessment. And it is difficult for me not to go deeper into what I really want to say on this entire project. But, Madam Speaker, I hear the Minister and I understand him in his concerns and what have you. I can just imagine what his concerns are, many of them. But Government must be here to facilitate, and I am not talking about the Ministers or the elected Government. Government must be here to facilitate, not to tell people they cannot do it. And that seems to be where we have gone for many, many years, Madam Speaker.

Madam Speaker, based on my little social outing last night here in Cayman Brac I get this strong feeling that the percentage of Cayman Brac that wants this far outweighs those who do not want it. I mean, Madam Speaker, even since being here this afternoon, one of the Cayman Brackers that spent as much time in East End at my parents' house as my other aunts and uncles did, more time really . . . you just get that feeling from these people that they are expecting something from this august body. It really does not bother me about the . . . (what is the name of the company proposing it? I know his name is Cleveland) . . . I don't want to even talk about that. I am afraid that an environmental impact assessment may upset the expectation that these people here have. And let me tell you why.

When the previous government proposed a "port" in East End . . . and I termed it the mega quarry. They were just going to put a hole in the ground and, Madam Speaker, yes, they went through the assessment, whether it came back right or not and it was them who did it, but the people said no, they did not want a hole in East End, whether it was a mega quarry, it was a port, or it was just for show.

Madam Speaker, I stood with those people at the forefront. I stood prepared to take the first bullet. Conversely, they then said to me they wanted the hospital. Not my business, Madam Speaker, they have to live there with it. I am a mere representative. That's all I am. I am but one; a lowly little representative of the people. And I have made two trips to the hospital. It is the people of East End who said they wanted that, instead of the mega hole in the district that all of this environmental impact assessment was done on. And, of course, you know it came back in the favour but it could have been the other way as well.

So, Madam Speaker, what I am trying to say here is that we need to think. It is obvious that the people want it. Some of my good friends here I met

last night want this project. Now, we need to try and facilitate this project being done.

The Speaker: Member for East End, are you now beginning to discuss the substantive Motion or . . . ?

Mr. V. Arden McLean: No, Madam Speaker, we will get to that one later. We'll get to that. You don't worry.

[Inaudible interjection]

Mr. V. Arden McLean: Yes, I can say the same thing over again but in a different way.

Well, Madam Speaker, let me say this environmental impact assessment is the objective of this amendment. I am saying to the Government, ensure that it is not so burdensome that it cannot pass and get the objective of the people of this constituency. Thank you.

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

I recognise the Fifth Elected Member for the district of George Town.

Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town: Thank you, Madam Speaker.

Madam Speaker, I've listened to the Private Member's Motion put by the First Elected Member for West Bay, amended by the Government Bench, and I note that as the ex-premier, the First Elected Member for West Bay, the Leader of the Opposition, has said, this is for the Cayman Brac people because successive governments have failed to provide effective development in Cayman Brac. The amendment, I think, is a fair one, Madam Speaker, because the people of Cayman Brac have offered this project as one such measure to ensure some economic activity. But it must be done pending a reasonable environmental impact assessment.

I am in full support of the people of Cayman Brac deciding their own fate. Who am I to stand in their way? However, as a Government we need to consider something further than just one proposal. We need to have a proper master development plan for Cayman Brac so that we do not do this piecemeal. How do we define the Brac? How do we market the Brac? How do we develop the Brac? How do we sell the Brac? Those are the overriding policies that we as a Government need to come up with, Madam Speaker.

Change is inevitable. There are going to have to be compromises on both sides to allow for a balance between the environment and development so that we can preserve this beautiful Island, and, in fact, all three Islands, for future generations. But we always have to remember that it should not be to the demise of the current one.

Madam Speaker, Brackers will determine their future. They are the keepers of their environment for future generations. I support them in bringing this to the Government's attention, and I fully support the amended motion as put by the Government. Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

I recognise the Honourable Deputy Premier.

Hon. Moses I. Kirkconnell, Deputy Premier, First Elected Member for Cayman Brac and Little Cayman: Thank you, Madam Speaker.

Madam Speaker, I rise to make a short contribution on the amendment to Private Member's Motion No. 7/2013-14. I really did not intend to speak to the amendment. I expected to speak to the Motion tomorrow or this evening, whenever we get to it. But let me say this for clarity: There is no Member in this honourable House that has spent more time with the developers of the Alexander Hotel and the developers of the proposed marina than I have, Madam Speaker. And I believe that each one of the sons and the father will support that comment.

When we looked at this resolve, in my mind it was clear that there was consideration for the environmental assessment that needed to be done. More to that point, Madam Speaker, I am quite happy to share a conversation that Mr. Dilbert and I had when we talked about assessments being done. One of the things I said was that we had to do an environmental assessment because my legacy would not be that the west end of Cayman Brac was ruined from the marina. He said the exact thing. His exact words were: "Mose, I can assure you that that would be the last thing that I want as well." [UNVERIFIED QUOTE]

So, I am very confident that what was meant by him was that he wanted to ensure that this is done in the right way. We even talked about the consideration of how it would be done. And this gave licence to how that could be done the way it was moved, because it was asking for consideration in this resolve.

So, Madam Speaker, I believe that we were all saying the same thing as far as the resolve section, making sure "**inclusive of an appropriate channel of the southwest of the Salt Water Pond, contingent on any environmental impact. . .**" That was the first before it was amended—"contingent on any environmental impact." I don't believe that you could have a baseline for environmental impact unless we had some assessment done.

So, I believe the clarity to this is that we are all in agreement to this. I believe that the Member for East End made a very good point where he said that we had to be user-friendly. He said it in different words. But this Member wants this project to go forward. This Member has worked for this project to go forward. This Member has supported this project and

made it quite clear whether it was in print, or on the radio, that I have been in support of this.

I have complete confidence in the Dilbert family that the projects they have done through their business career, if you look at what they have done, they have done well and they are done in a way that they are environmentally friendly. They are done in a way that they are successful and they make a commitment to the community and they have a good track record in the Cayman Islands. But what I am most proud about, Madam Speaker, is that he was born right here in Cayman Brac and comes here to want to do this development, which we are in support of, Madam Speaker.

It is incumbent upon us, whether this Motion was brought today or not, to make sure that we move the roadblocks out of the way so that this project can be done. I believe that there are a lot of other things that I want to outline when I actually get time to speak to the Motion, as far as this being part of the puzzle for the economic recovery of Cayman Brac. So, Madam Speaker, with those few comments I thank you for the time.

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

The Fourth Elected Member for the district of West Bay.

Capt. A. Eugene Ebanks, Fourth Elected Member for West Bay: Thank you, Madam Speaker.

Madam Speaker, as the seconder of this Motion and one who supports it, I would like to make a small contribution.

Just to give a little background history, Madam Speaker: When I was a young man my father had a 26-foot cabin cruiser with a single engine. He was operating his business out of the area that is known now as Morgan's Harbour. It was Jackson's Baccadera at the time. The water was so shallow there that he had to anchor his boat off close to half of a mile from the shore and then take his guests out in a dingy and do his charters. I decided, Madam Speaker, that there had to be a better way, and not to blow my whistle, but this is the way it happened.

[Inaudible interjection]

Capt. A. Eugene Ebanks: Absolutely!

I bought a little piece of waterfront property right where Morgan's Harbour Marina is today, for US\$20,000. Back in 1979 that was a lot of money. It took me until September of 1982 before I finally got permission to dig a little channel. Well, it was more than a little channel. It was 1,800 feet long and 50 feet wide. But it had to go that far out to get to five feet of water. But before that, the only thing that could come

into Morgan's Harbour was an outboard motor tilted up or a canoe or a catboat, nothing else.

In the low tide the turtle grass would be out of the water and yes, I got a lot of opposition. But I went around to all of the boat operators in the area, got their signatures and I fought with the Department of Environment until I finally got permission to cut it. Today, Madam Speaker, the area that is known as Morgan's Harbour has created an immense economic stimulus, especially to West Bay. It has created an area where we have an abundance of marine life: turtles, fish, lobster. I can't say conch as I have not found them yet. But there are all kinds of activities. Yes, and lots and lots of fish.

So, I can empathise with the developers. The Brac needs this project in the worst kind of way. It needs it to stimulate the economy; it needs it to create a safe harbor. It will create jobs that are not now available. Madam Speaker, the project has been needed for many years and has been talked about for decades. It is about time that that we take the bull by the horns and get this project going.

In the Morgan's Harbour area right now, because of that little first channel that I had cut, we have three waterfront restaurants, we have two marinas, we have about 12 or 14 watersports operators, a 'swim with the dolphin' park, two waterfront residential developments. Madam Speaker, it has only enhanced the whole area in every aspect you can possibly think about. Yes, you know everybody was saying that when the weather comes in it would wash out everything. It has only helped the area.

And just to let there be no doubt at all in anyone's mind, I give this project my wholehearted support and I encourage other Members of this House as well to see it from every possible angle, but especially for the people of Cayman Brac that we should approve this Motion and get on with the project. Thank you.

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

If not, I call on the Honourable Premier to exercise his right of reply on the amendment.

The Premier, Hon. Alden McLaughlin: Madam Speaker, just to thank Members for their support, and especially to thank the Leader of the Opposition for agreeing without too much discussion to the proposed amendment. This brings the Motion to a position where the Government is able to support it, Madam Speaker.

The Speaker: The question is that the amendment to the Motion is agreed upon.

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

Ayes.

The Speaker: The amendment is passed.

Agreed: Government's amendment to the Motion passed.

MATTER OF URGENCY

[Standing Order 11(1) and (2)]

APPROVAL OF DILBERT'S MARINA AS INFRA-STRUCTURAL DEVELOPMENT INITIATIVE FOR CAYMAN BRAC—AS AMENDED

The Speaker: The Motion is now open for a continuation of its debate.

Does any other Member wish to speak/ [pause].

Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, as I indicated just now, the Motion has the support of the Government in its amended form. Madam Speaker, I do not propose given the lateness of the hour to speak for any length of time, but to reiterate what the Deputy Premier has said, this concept of the marina has had the support and continues to have the support of the Government. Indeed, the project was approved in principle by Cabinet some weeks ago.

So we are continuing to work as best we can within the constraints that are there to allow this project to be able to get off the ground. We are very, very conscious of the need for economic activity in Cayman Brac. We do know the problems with smell in relation to the Salt Water Pond and the impact that has, not just on the Alexander Hotel, but, more broadly, on the tourist area of Cayman Brac. And perhaps not just the tourist area but anyone on the west end of the Island.

So we are keen, as I indicated when I made a statement to the House earlier this afternoon, to do whatever we can to create the necessary stimulus to get the Cayman Brac economy moving.

Madam Speaker, quite simply, the issue is what I like to call critical mass. We need more activity. We need more people in Cayman Brac to be able to support the various businesses that are here. And unless there is something radical that is done to change the present trajectory, which has been on the decline for many, many years . . . in fact, for as long as I can remember, people have been lamenting. When I started coming to Cayman Brac in my early 20s, people were lamenting what was happening with the population about the exodus of particularly younger people to Grand Cayman and elsewhere. That has only gotten worse over the course of the last 30 years. And unless something radical is done to change the

dynamic with respect to the economy in Cayman Brac, I really fear that in another 20 or so years this is going to result in just a retirement community for those who can afford to live here, because it is not cheap to live here. Lord knows what will happen to those who can't afford to do so, who are of this place.

So, Madam Speaker, it is not a matter of us being reckless or not having regard to environmental concerns that led us in the first place to approve this project in principle against the advice of the Department of Environment, but because of our stark realisation that if something radical is not done besides talk, we are all going to have a much bigger problem than what many of the environmentalist think are a possibility with respect to the south side of Cayman Brac.

So, Madam Speaker, I just wanted to spend a few moments to make it plain to those who may doubt the Government's commitment to this project even absent this particular Motion. And I wish to express my thanks and gratitude to the Leader of the Opposition for bringing the matter to the House in this way and putting it so squarely on the Government's agenda for this Meeting. I don't think I need to say more than that, Madam Speaker. I expect that other Members of the Government may wish to say a few words themselves.

Madam Speaker, we do have a reception at 6.30 for which I hope there will be many Cayman Brackers waiting on us. And I would hope that we could wind-up this matter in the next few minutes so that we can move on to the reception, because it is clear now that both the Government and Opposition are in support of the Motion. Thank you, Madam Speaker.

The Speaker: Is that an indication that you spoke for your entire Government?

The Premier, Hon. Alden McLaughlin: I would never be so bold.

The Speaker: Does any other Member wish to speak?

Member for North Side.

[Laughter]

The Speaker: Member for East End.

Mr. V. Arden McLean: Madam Speaker, I love you too but that is the second time today.

[Laughter]

Mr. V. Arden McLean: Anyway, Madam Speaker, let me—

The Speaker: Maybe I am being prophetic.

Mr. V. Arden McLean: Let me be as short as the Premier. But first of all let me congratulate him in what he said when he said that something has to be done in Cayman Brac because it has been on a slide for a very long time. I am paraphrasing, of course. Madam Speaker, if we do not do something soon Cayman Brac is going to be attracting only the newlywed and the nearly dead. That is how much the economy in this district has gone downhill. And it is nobody's fault other than people leave and go elsewhere, go to Grand Cayman where the lights are brighter and the opportunities are more. The opportunities are too few here in this constituency.

Madam Speaker, we have been extremely lucky in East End where we now have a hospital and maybe the golf course that may never happen and the surrounding lands of the hospital.

Madam Speaker, I spoke earlier and I know the Premier may very well bring me into account for talking about this again. But, Madam Speaker, the problem we have always had with these EIAs [Environmental Impact Assessments] is that the people who write them require too much in certain instances. I understand. When we were doing the ones in East End, the sensitivities there of the fresh water lens and the possibility of losing that, I appreciate all of those. But I have been to Cayman Brac many times, have not had reason to look at the area in question with a critical eye but since yesterday when I arrived, I took the opportunity to pay closer attention to the surrounding area and, Madam Speaker, as far as I could estimate there is probably 150 to 200 feet of ridge between the pond and the ocean. I really don't understand why we would think that 200 feet will stop seas from coming into that pond. That is impossible to think that we would even consider that.

Now, I know the developer is proposing to do the channel rather close to his property. I believe that it needs to go east of the nightclub there.

[Inaudible interjection]

Mr. V. Arden McLean: Coral Isle. And even if they have to facilitate a dog leg into it to get in there and that kind of stuff.

Madam Speaker, I know how bad this thing is. I'm staying over there. At least I took that great leap and rented a room in the hotel so that for the next five or six days I can smell it. So, it will be a constant reminder to me of why I need to support something being done there.

Madam Speaker, when I was Minister one of my first things in this constituency was to propose us doing two major electric pumps in that area to keep it full all the time. Of course, I came up against a road block with that as well. And like the Premier said earlier today about the pressures that are brought from elsewhere upon the political directorate, it fell. The developer went and tried to put a pump to fill it up and

now it is costing him too much to do it. Madam Speaker, that needs to be done.

I know when we pass Meagre Bay Pond in the constituency of Bodden Town we can smell it, but it is for a very short period of time. This thing has stunk here forever and then we are talking about digging out one-third of it. What is the purpose of one-third of it? The rest is going to get flooded with salt water. You still won't attract anything in there. Dig it all out. Dig every piece of it out.

Madam Speaker, one of the things with Cayman Brac has been that Cayman Brac people migrate to Grand Cayman. They are rather successful, the majority of them in Grand Cayman. And this developer, he went as far afield as New York and then came back. Now he is bringing his expertise and whatever little funds he made out there back here to try and enhance this economy for the people of Cayman Brac. And we are going to hug every tree and every bit of mud out there, what are we going to do, mud wrestling or what? Madam Speaker, I don't see that place having the same significance as the water lens in East End. The only water lens out there, are salt water lens.

Madam Speaker, more than this developer (who has been a good Cayman Bracker, in most instances), there are others. I know at least three of my good friends, two from Cayman Brac and one from Grand Cayman who are waiting and anticipating this so that they can bring their boat over and leave it over here and rent slips here. So, the other Brackers who own land around there, we just fill it in and they all do their own part and make their own little slips so it can enhance the economy of Cayman Brac.

Madam Speaker, I have been throughout almost all the east Caribbean Islands. They have beautiful natural harbours. And they have enhanced those. And you need to see the amount of boats that are stored there year round. Madam Speaker, that is a big thing in the east Caribbean. Of course, there is more sightseeing because they can see from one island to the next, so they come down and run their boats.

You know, Madam Speaker, one of the attractions that Cayman Brac has (for those who do not know) is that one of the species of fish in sports fishing is now becoming a serious reality in this district where the University of Florida is tagging swordfish here in this district for scientific purposes. As a matter of fact, Madam Speaker, the boats started coming up last night for a tournament this weekend. They can hardly get through that Brac reef channel and there is very little docking around there and here we are with a developer who wants to provide facilities.

I am not saying the Government, you know, Madam Speaker. Not the political directorate you know. I am not saying one or two of them may have a little concern, of course. We all have concerns. But it is elsewhere. And there comes a time that in the interest of this country, whether it is in Cayman Brac,

East End, George Town, West Bay, wherever, we need to bite the bullet, like the Premier said, and go against some of the recommendations of those who would hug up every tree. I see a couple of grape trees out there. What are they going to do, lay on them or wha?

Madam Speaker, I lend my entire support because next time I come I don't want to have to sleep in a hotel that I smell too. Smelling the pond I mean, Madam Speaker. We have a first class hotel right there with the potential of expansion. Madam Speaker, it is more than that. The people are not only going to stay there. There are ship chandlers that can be created; there is fueling or whatever the case may be; watersports, supermarkets that the people are going to buy from. In many instances these boats . . . my brother recently had to go and help a friend on a boat that is an 81 foot merit (I think). They were moving it from Panama up to the east coast of America and stopped into Grand Cayman to refuel. And they sent the boat up there and two to three weeks later the owner comes and goes out one day on it and all of the crew is there and have to put them up in a hotel.

Madam Speaker, how many times have we not, my good friend, the Member for West Bay, and the good Minister responsible for the Environment, gone to Florida to bring our boats down, or somewhere on the east coast of America? We do not sleep on the boats. We sleep in a hotel. We utilize the restaurants because we have nothing on the boat. And then when we are ready we stock the boat from the supermarkets to make the trip down to Grand Cayman. That's what we do.

I know the good Minister has a big boat. It would be ideal for him to come up here on weekends with his family. I got a little small boat too that can come across. You know, Madam Speaker, that is what it is about. This country does not have any of those harbours where you can do that. It doesn't. And Cayman Brac wants to do it and all of those people want it done, let us facilitate them in dictating . . . who was talking about dictating their own destiny? The Member for George Town? Let us facilitate them into dictating their own destiny. And let us help them get rid of the stink; that's number one. The economy can come after that. But that stink needs to go.

[Inaudible interjection]

Mr. V. Arden McLean: The stench, whatever you want to call it. I can use that too. The stench needs to go, Madam Speaker. And this is the only solution. Yes, we are going to lose one or two coral heads. You ever see any gains without any losses? There has to be a few losses.

So, Madam Speaker, I lend my support, not because the developer and I are good friends, but to the project. Thank you very much, 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]

I recognise the Honourable Deputy Premier.

Hon. Moses I. Kirkconnell: Madam Speaker, I just want to stand up again to lend my support to PMM 7/2013-14. I believe that everybody on the Government side is happy to support the Motion. I want to say thank you to the Leader of the Opposition for bringing the Motion. I believe that there is a huge socio-economic benefit for what this marina will bring to Cayman Brac and the development.

Madam Speaker, it was not too long ago that you and I were in this same building for a debate and we both talked about what Cayman Brac needed, the types of development that it needed, and we both talked about a marina, more hotel rooms and we certainly talked about airlift and the need for airlift. So, this Motion has the support and it comes in a timely manner that allows us to commit to getting the road-blocks out of the way and getting this project moved forward. As I said before, Madam Speaker, this is part of the puzzle for economic development in Cayman Brac.

If we take the three Islands and look at them and say that in Grand Cayman the numbers there are doing quite well. The tourism product, stay over visitors will be up this year. Cruise visitors will be up this year. Little Cayman is running a very high occupancy. They have a destination that attracts high end divers, Madam Speaker. And Cayman Brac is the one Island of the three that needs development help. Cayman Brac is looked at and we as a Government look at it and ask, *What can we do?* And the marina is part of the puzzle to create economic development.

You know, Madam Speaker, if we were saying that the three Islands were a business, we could look at the business, put a business plan together and decide to either, fund the business plan and fix the business, or we could decide to close the business and go into a different type of business. Madam Speaker, we do not have that choice with Cayman Brac. This Government understands that we are going to fix Cayman Brac.

Madam Speaker, we talk about the things that have been done since the election that went along with some of the initiatives that had been started before. If you think about when you drive and you look at the Water Authority here with their trencher putting piped water on the Island, a big part of the infrastructure that is needed gives encouragement for people to realise the infrastructure continues to be improved.

The roads system . . . the best roads in the Cayman Islands right here in Cayman Brac and they keep getting better. It's all part of the infrastructure.

Mr. V. Arden McLean: Well what about all of those that I built down there?

Hon. Moses I. Kirkconnell: Where did you build them?

Mr. V. Arden McLean: Grand Cayman.

Hon. Moses I. Kirkconnell: They're all right too.

Madam Speaker, if you look at what we are doing with sports tourism and how we are trying to diversify what happens on Cayman Brac, again, it is timely to look at the type of tourism that a marina will bring here.

Madam Speaker, the cruise ships came here for the first time consistently over a five-week period. It didn't happen by accident. We had identified small cruise vessels, high scale, upend. They came ashore here once a week and it gave us an opportunity to see. The company owner came and we drove him, showed him the Island and he committed to come back next year. So, Cayman Brac is on the schedule for next year. These are all parts of the puzzle that we have to put in place. And, Madam Speaker, I am proud to say that this Government is putting these parts in place as you look at them unfold.

Last week we had what is called the Global Meetings for tourism. The Global Meetings for tourism means that the Department of Tourism has an office in London that is staffed and looks at European visitors. There is an office in New York that looks at the north east United States. It has an office in Toronto, Chicago, and Houston. We brought each one of those members here to Cayman Brac for four days to have the Global Meetings here. And the question we posed to them as we continued to look at an increase in stay over visitors was: Why does Cayman Brac not share in that? Madam Speaker, we don't know any other way to fix this other than to get experts here and explain what needs to be done.

They came up with some ideas; commonsense ideas when you think about it. They have said that the Island itself was not ready for weddings that bring three or four hundred people. But what we are ready for is to create the market for weddings that attract 20 to 30 people. These are renewing their vows, these are second marriages, these are people who target this. And sometimes it is people who were married in the Cayman Islands and come back. So, they identified specific things that can happen. But we need the hotel rooms for these initiatives to take place. So, that is why this Government is supporting the marina. That is why it was passed in Cabinet, and it is why we continue to work on what we see as the needs here in Cayman Brac.

The back office jobs, Cayman Airways has reached out and set up back office jobs in a call centre here in Cayman Brac, and a reservations centre.

The airport expansion, the red card has been issued. The construction has started.

When you look at what has taken place with CONCACAF and how they have helped us to design the field for tournaments, the first one that will be held here in August.

Madam Speaker, we are starting to see these pieces of the puzzle come together. And we say that the marina itself is another piece of that puzzle, because if you talk to the owners and you hear their plans for more rooms, a conference centre on the beach, cabanas on the beach, you continue to realise that it is part of the things that we need to do. And, Madam Speaker, what happens with this as we move this forward, take the road blocks out of the way, make it friendly in how we want business in Cayman Brac. Business feeds off of business.

If you hear, *Milk is too expensive; the barge is late; you can't get here; you can't find anything to do when you get to Cayman Brac*, why in the world would you ever come here? But when you hear and see people like the Dilbert Family investing millions of dollars, building more rooms and you see other developers here wanting to do a five star hotel and you see a 250 acre farm on the east end of the Bluff, you start to realise that Cayman Brac is a place that you want to look at it because it is going to develop in the right way. And, Madam Speaker, these are the things that this Government is putting in place because of what I have just said. Each one of those is tangible and you can touch them and that is why we are working hard.

The Premier mentioned the upgrade of the plane for this. You and I have both talked about for Cayman Brac to go forward we have to sort out the lift into this Island. And the business case identified a turboprop to provide more life in a timely way, in a scheduled way, in a convenient way with comfort. And that is what is being actioned now. So, as you see these things, they are not happening by accident, Madam Speaker. They are happening in a planned way that we are looking at how we develop and develop in the right way.

Madam Speaker, I have four more pages here but I won't go into those tonight. What I do want to do is to thank the Leader of the Opposition for bringing this Motion. I want to thank Ms. Athieda for her cake that she brought, the Papaya cake.

An Hon. Member: Hear, hear.

Hon. Moses I. Kirkconnell: And, Madam Speaker, I believe that again this is a timely motion. It has support and we look forward to moving forward with this. Thank you, Madam Speaker.

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

I recognise the Honourable Minister responsible for Health.

Hon. Osbourne V. Bodden, Minister of Health, Sports, Youth and Culture: Madam Speaker, I am going to be brief, but I know this is about to wrap up and I didn't want that to happen without just putting in my two cents.

I like the Premier have been coming to the Brac a long time. From the time we were in our teens we coming here and having good times those days. When I think back there was a lot more happening 30 plus years ago, than there is happening now because we could go up to Spot Bay. We had Bar 29 and we came down and had Blackies and went we went down we had Buccaneers Inn and Divi. And Brac Reef and Coral Isle were always there but there were night spots in social places. There was Bussies. Some of them are gone and have never been replaced.

When the Alexander Hotel came on line the room stock here was severely down, and thank God the Dilbert family was able to do that. The challenge this has posed for us, and certainly there has not been any lack of support on the Government side, but it is simply a case of when you are dealing with the natural and built environment. And these things will continue to be challenges for any government in any country. But I think as a Government—and when I say “as a government” I am talking the 18 of us—we have battled this and over the last few months we have really put our- . . . and some of us have had to compromise some of our reservations and certainly the Minister, my good friend of Environment has been put in the most awkward position of all because he has pretty much had to go against his own department which is a recommendation from them basically not really supporting the project.

We have had to say well in the interest of the common good, in the interest of Cayman Brac, Let's look at this as a country and certainly everyone feels that this . . . it is not the answer to everything, but certainly it is the move in the right direction. And for the record, from the day I heard about it I said that as long as it is done properly I have no issue with it and I maintain that. And that is where the environmental impact assessment has always been a sticking point for me, because I want some confirmation that the project is going to be done well. But at the same time, I know the Dilberts and I do not think they are going to be reckless. I do not think they would do something that is going to hamper their own existence. And we have to always look at this.

Up until last night I was talking to an elderly couple who are property owners here and they visit annually (a few times I guess), and they wanted assurance as well that their property was not going to be swept away. So, it just shows that there are two sided to everything. And as a Government we have to look at the big picture and take the best approach that we

feel is going to give the country the right move and at the right time.

Before I complete my short contribution, Madam Speaker, I just want to pay kudos to the Deputy Premier, and this is why I mainly stood up. I can tell you and the people from Cayman Brac who are here and those who will be listening later. This man, from the time we were elected in Government and I served with him between 2005/09, he has had this driven passion to get Cayman Brac get Cayman Brac going. I remember I was sick and tired of hearing Mose (I should not say Mose, the Deputy Premier) talk about airlift and the need for new equipment and all of that. I mean he hammered that. At that time the Minister of Tourism was Mr. Clifford, and the Deputy Premier was on about the state of Cayman Brac, how it is dying and what is needed. And he is a businessman here. He has a vested interest, or course. But he also loves this place and its people.

I can tell you since we have been back now as Government, he has been pushing for everything possible to make sure that Cayman Brac gets its just share, and not just that, but gets the stimulation that it needs. And he alluded to a number of things himself so I won't repeat them. But he has been pushing very, very hard.

[Inaudible interjection]

Hon. Osbourne V. Bodden: Well, exactly; representing his district while still doing an excellent job as Deputy Premier. And I think sometimes for him filling in too often for the Premier and glad to see him when he is back on Island.

Madam Speaker, I just wanted to offer that and to bring it and to have my perspective on it because I come here a fair amount. People say that they don't like going to the Brac, it is dead and all of that. I love it because I am way too fast at home. So, when I come up here I enjoy and move around and we have a lot of friends here, my wife and I. And I really see . . . this morning I sat in a restaurant and had breakfast and it was me the cook and the server. I wonder sometimes when I go into the shops and look at the stuff on the shelves, I have to ask how they do it. I own a business and I know that if my stuff is not coming off of my shelf every week I am very worried. And you know you see things getting old and stale-dated and all of that. It is not an easy position to be in. And I can fully understand and appreciate why the Brackers feel that this is a ray of hope for them and a light at the end of the tunnel.

So, from that perspective I give my support. I certainly have my reservations about the environmental impact and about the south side of the Island being cut, just as I had when we were talking about cutting the south side of Grand Cayman. But I trust and pray that it will be done in the best manner possible. And may it serve the purpose that we are here to negotiate

it and talk about so long today. Thank you, Madam Speaker.

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

I recognise the Honourable Minister responsible for Finance.

Hon. Marco S. Archer, Minister of Finance and Economic Development: Thank you, Madam Speaker.

Madam Speaker, first of all I would like to congratulate the Dilbert Family on their investment on what is their beloved Island of Cayman Brac, and for wanting to see any hope of economic prosperity continue and even improve.

Madam Speaker, this Motion and the whole issue of the cutting off the road and the dredging of the Salt Water Pond in order to create a marina is something that we have grappled with for a few weeks now. So, more credit to them for their tenacity in wanting to see this done. But, Madam Speaker, I think it is fair to say that the Government has done a significant amount of work on this and has always been in support of it provided that it was done properly, because whatever is done cannot be reversed.

Only a few months ago we passed the National Conservation Law which requires that any major development project impacting the environment must have an environmental impact assessment. So, it would have been difficult for any of us to have approved the project without requiring the EIA, despite wanting to assist the Brac as much as we can and as much as we do.

And just to mention, Madam Speaker, as many are aware, there are numerous concessions which are in place to assist the Brac. Just to mention those we have 100 per cent waiver of stamp duty on any land purchase, 100 per cent waiver import duties on building materials, as well as 12 cents per gallon on gasoline. And to compare those to Grand Cayman, of course, gasoline in Grand Cayman is 75 cents per gallon. So—

[Inaudible interjection]

Hon. Marco S. Archer: Yes, the import duty tax that is.

So, Madam Speaker, it is not to say that we are not trying to help the Brac. I love vacationing in the Brac and Little Cayman. I think one of the best vacations I ever had with my young family was a week in Cayman Brac and Little Cayman. And I look forward to any opportunity that I can come here because it is, in my opinion, a very quiet and relaxing place to be.

So, Madam Speaker, just to say, I struggled with this. I wanted to assist, I wanted to agree to the project, but I also felt that it was necessary that we

have the EIA because without it I thought that it would have been reckless.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes, the whole West [End] was going to get swept away. We all know that.

Hon. Marco S. Archer: You want the microphone?

Hon. W. McKeeva Bush, Leader of the Opposition: The bluff was going to get swept away.

Hon. Marco S. Archer: Madam Speaker, I am being heckled by the greatest heckler of all time, 28 years of practice.

[Laughter]

Hon. W. McKeeva Bush, Leader of the Opposition: Thirty.

Hon. Marco S. Archer: Actually, he corrected me; 30—being paid to heckle 30 years.

So, Madam Speaker, I thank you and like I said I am happy to support this now that we have agreed to the EIA. Thank you.

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

I recognise the Honourable Minister responsible for Education.

Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs: Thank you, Madam Speaker. I too would like to make a few brief remarks with respect to this Motion.

Madam Speaker, as was mentioned by many of my colleagues on both sides of this House, I too support the need to encourage and to stimulate economic development in Cayman Brac, but not only in Cayman Brac, Madam Speaker, the entire Cayman Islands.

I also support the need to ensure that the sustainability of Cayman Brac from both an economic perspective and an environmental perspective is paramount to any decisions made and that considerations be made in that respect for generations to come. It is our obligation as legislators to not just legislate for today under circumstances today, but to think about those whom we represent who may not necessarily have an impact on the vote just yet but for future generations who will inherit the decisions that we make as leaders of this country today.

So, Madam Speaker, with the amendment as put forward by the Premier on behalf of the Government, which reflects the need to ensure that an environmental impact assessment is duly considered and

the impact environment is duly considered in this project, as well as the need to stimulate the kind of economic growth that the Cayman Brac people need and deserve, I am happy to support the Motion. Thank you.

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

If not, I will call on the Leader of the Opposition to exercise his right of reply.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, thank you.

One thing I have learnt is that on anything like this when a Government leader gets up and speaks, and you thought that he was speaking for everybody, you do know who gave him trouble because they will come behind to put some save on their conscience.

Madam Speaker, I want to agree wholeheartedly with the Premier—unless something radical is done, things will get worse. That's the position I took after seeing what I saw here late Sunday afternoon and Monday. And after talking to numerous people in this community, people are hurting, hurting, hurting and we need to do something, Madam Speaker. You cannot get an omelet, you can't get a fried egg, unless you break the egg. And we can sit here all day long and talk about how much we want to do and the whole West End is going to get swept away if you put that channel in, then we are not getting anything done.

You can spread any kind of fear and again to put salve on your own conscience or on the sore to say, *We ga do something you know, we ga do something*. You go spend your million dollars and get all of that done and then perhaps it will not be done. Well, do they want this done? Do they want this marina done? Do they want it before the next marina is given permission to build?

Madam Speaker, what is proposed, cannot destroy West End in any shape or form. Protective walls have been proposed. And it is easy for them to get up and say *we are going to support, we are going to support, we are going to support*. That channel can't destroy West End or any other end

Madam Speaker, I am satisfied. They are saying that this is what they planned to do anyway. But I am satisfied that the establishment of the Brac Environment Oversight Committee is the right thing to do. These business people here and more besides them say and understand that. And I am satisfied that there is an eight-week period that was no telling. And I hear the Minister get up with his usual insulting ways. He talks about me insulting and castigating the department of environment, not so, but he has a habit except that he dared not go further this afternoon, because he knows that I would be in the right frame of mind to deal with him.

But I want to tell him, Madam Speaker, that . . . let me tell the Minister again. I want to repeat to him that there is information existing to show that the department of environment moved to contradict the developer by knowingly using wrong information about turtle nesting to support their dictum that turtles were nesting in those rocks, thus to stop the project from moving forward. There is information and your Government saw it.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

Well if you haven't seen it, ask your leaders because they saw it.

The problem is, Madam Speaker, that immediately when you try to push something forward they take it personal and they take it political. I could have come here and kept my mouth shut. But that is not something . . . in 2009 or 2010 whenever that hotel was opened, I was glad to move forward and if those people who were in office would have told the truth, they told those investors, *Look, we will help you get something done with that Pond.* And I believe that they meant what they said. They lost the election and we took over. But then even at that time I had to fight the powers to be, Madam Speaker. And the Speaker who was then . . . the Deputy and the Member in Cabinet responsible for this community, can say the fight that we had to get that hotel open, because certain powers to be were not supportive because they held certain powers in their hands.

Unfortunately, that is what's wrong with our country. Some of those people who have the authority do not want to move forward because the elected person is saying that they are supporting something. Well, who is it that the people elect? The bureaucrat? Or do they elect their representative to move things along?

Madam Speaker, hopefully, because the Government is the Government, something will be done quickly. But they will adhere to the eight week period and that is a requirement by this House to get it done. Thank God we got that in, because if you saw the email that I saw, anything could happen. And again, the man could go and spend \$1 million and get nowhere.

Madam Speaker, some of them got up and talked about the future generations. And they like to use those buzz words you know. But let me ask them with this issue in that pond. What are we saving in that pond for the future generations? What are we saving there in that pond? What are we saving?

Mr. V. Arden McLean: Mud wrestling.

Hon. W. McKeeva Bush, Leader of the Opposition:

To get up and talk just to talk because they have a tongue.

Madam Speaker, we do not hope to see any EIA where it is prohibitive to the project, and that is what we are saying. That is what I am saying. That is what we are trying to say here today. We do not hope to see . . . if there has to be an EIA, I hope it is not prohibitive to the project. That is all we are saying. The owners said that they were prepared to move as quickly as possible. But all of you have gotten up and said that you are not going to do something to destroy the west end of Cayman Brac because that would destroy their property too. Get on with the job; that is what I want to see.

Now, Madam Speaker, I am very glad, too, to see much of the work and plans of the last administration continued in tourism, in Cayman Airways. Madam Speaker, I could go on and on. The Minister—who is rookie here—took enough credit about the waivers for Cayman Brac. Yet he said I didn't do anything. He said I was paid to heckle. Yeah, well tongue can say anything, but God knows the work that I have done and the time that I have put in; the hours I have spent, the licks I have taken to do things in this country—

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Sorry?

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: We renewed what we had to renew.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Well everything could have been expired according to—

The Speaker: Members, please pass comments through the Chair.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, anything could be expired because they have the Government now and they can write anything and say anything and they have been doing that!

But where did those waivers come from all of those years? It wasn't him! In fact, he was the one getting up on the platform saying that we should not do those waivers. Now he is up in Cayman Brac saying they are a good thing. And that's the hypocrisy, Madam Speaker. And that is what I am scared of.

I'm not scared of the Member or the Deputy Premier or who is responsible in the Ministry for this district, I am concerned about the hypocrisy in some of their actions—saying one thing on the public platform and then coming and saying something else.

And then you have their departments that seem to be mollicoddling doing the same thing.

Madam Speaker, yes, I've long had some differences with the Department of Environment. So, I want to say to the Minister that that is because I have always sought a good balance between development and the environment. As I told children in the classroom, there is no such thing as mangrove steak and turtle grass soup. There is no such thing. So, I've had my differences with them. But the Department of Environment and the extremists in these Islands have always made it seem that everything being asked to be done by developers or people who want to do something—be they foreign or be they local—were going to destroy the environment. And that is the problem that I have had with all legislation that has sometimes come forward which is extreme, because they are trying to make people believe that everything has been destroyed in this country, that we are the worst off in the hemisphere or the region, when that is not so.

As I said many times, this is the only island that I know around us in this region where you can be up a couple of thousand feet and see a hundred feet down on the bottom of the ocean. Does that mean that this country has been destroyed [through] legislators over the years that have not taken care to do what has been done? No, it is only because we have taken care that we have the clarity of the waters that we have and what they are. And people like them, Madam Speaker, just come ya talking about us doing so poorly. Well, of course, they have to try and make their voters believe that that is so. But you know what the voters are finding out, that that is not so.

So, Madam Speaker, nobody in this project was trying to destroy the environment. And many others have tried to protect the environment. But myself, yes, I've put more good legislation forward that myself and the department agreed on than what we have fought on. All the protective measures for the fisheries, [Ms.] Minister of Education and Mr. Minister of Environment, in longer and appropriate seasonal and amounts taken for lobster, conch, and grouper. We have put in legislation to save the periwinkles (what we call the sea sucks) and on and on. They are protected because of the legislation that I fought others to put on.

Where was the bunch of you? Where were they? And then they come here to talk about paid to heckle. Heckle them if they are not saying the right thing, yes. Heckle them if they are trespassing on the conventions of parliamentary democracy, yes, heckle them! Furthermore, Madam Speaker, I don't believe that some of them should have been ya!

[Inaudible interjections]

Hon. W. McKeeva Bush, Leader of the Opposition: Anyway, Madam Speaker, they want to go and party-party so I will leave um alone.

All I want to say to them is if the Minister of Environment believes that we must stop everything to please the Department of Environment, well, he can go on and try. But he will not do it with my support, Madam Speaker. And when he goes ahead we will deal with him properly. As small a number we are on this side, we can deal with the likes of them.

Madam Speaker, I try and have said that my opposition was not going to be what I had to contend with. If I do something it is done in the best interest of somebody, not for me. And in this Island you can believe that we do need to try to help the poor people in this country. And I am speaking to poor business men who are struggling. One complained to me saying that there does not seem to be any interest in giving you any encouragement as a businessman everything seems to be, *You can't do this, you can't do that. You got to stop this, you got to stop that.* Well, I am sorry but that is not my style. I do not believe that we can feed our people like that.

I do believe that we can pay for good healthcare for that. I do not believe that we can put our old people in the rest homes like that. I don't believe that we can pay for their education like that! And the sooner that the rookies get a grip on themselves rather than being pushed hither and thither by every bureaucrat, whether they are here or overseas, then the better off our people will be.

Madam Speaker, I am glad . . . as I said, I am not happy that they have taken and manhandled some of the Motion, but in the spirit of co-operation to try to get some things done, we go along with it. Bearing in mind, though, Madam Speaker, and this House cannot say otherwise, that they have to abide by that eight week period. That is a requirement by this House.

I am satisfied that there are, to repeat, good people here in this district or this Island who know enough about the environment that they can make enough good judgment to safeguard it. They have done it in the past and they can do it again. And so I hope that if they require this EIA, if they pay for it themselves, that they will get somebody that's not going to do what I saw in that email, which only sabotages the efforts of the development.

Madam Speaker, I want to thank those in Government who genuinely supported this. And, Madam Speaker, I also want to thank yourself for your indulgence. And again, to thank the developers who made this proposal, and all of the others. And I say to the Minister of Tourism, Deputy Premier, go ahead, damn the devil and get your people some work in this Island.

Mr. V. Arden McLean: I hear ya Keevie!

The Speaker: The question is: BE IT THEREFORE RESOLVED THAT a Brac Environment Oversight Committee be appointed by the Government, compris-

ing of representatives from Cayman Brac's community whom possess the requisite local knowledge of the area and the environment, with any necessary technical expertise being provided to advise the Committee. The ambit of the committee is to include general oversight of the project with specific attention to providing environmental safeguards.

BE IT FURTHER RESOLVED THAT the House consider giving full support for the Dilbert's Marina, inclusive of an appropriate channel at the south-west of the Salt Water Pond, contingent on an environmental impact assessment resulting from the project being within acceptable limits, or the mitigation measures proposed by Brac Environment Oversight Committee resulting in the same.

BE IT FURTHER RESOLVED THAT the issue be dealt with in as expeditious a manner as possible, at least by within eight (8) weeks;

AND BE IT FURTHER RESOLVED THAT all such projects in Cayman Brac be given similar treatment.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Motion raised under Standing Order 11(1) and (2)—Approval of Dilbert's Marina as Infrastructural Development Initiative for Cayman Brac, passed as amended.

The Speaker: Honourable Deputy Premier, can we have a motion for the adjournment?

Hon. Moses I. Kirkconnell: Yes, Madam Speaker, I move the adjournment of this honourable House until 10:00 am tomorrow.

The Speaker: The question is that this honourable House be adjourned until 10:00 am tomorrow.

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

Ayes.

The Speaker: The Ayes have it.

At 7:19 pm the House stood adjourned until 10:00 am, Thursday, 10 April 2014.