



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

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2013/14 SESSION

12 December 2013

Second Sitting of the Fourth Meeting

(pages 419–462)

**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>The 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 Jennifer Ahearn	Temporary Deputy Governor, 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. McKeeva 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
FOURTH MEETING OF THE 2013/14 SESSION
12 DECEMBER 2013
10.29 AM
Second sitting

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

The Speaker: I invite the Third Elected Member for West Bay to say prayers.

PRAYERS

Mr. Bernie A. Bush, Third Elected Member for West Bay: 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 Cabinet 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 BY THE HONOURABLE
 SPEAKER OF MESSAGES AND
 ANNOUNCEMENTS**

The Speaker: There are no announcements or readings for this morning.

**STATEMENTS BY HONOURABLE
 MEMBERS AND MINISTERS
 OF THE CABINET**

The Speaker: Likewise, I have received no notice of statements from the Government Bench this morning.

GOVERNMENT BUSINESS

BILL

SECOND READING

NATIONAL CONSERVATION BILL 2013

[Continuation of debate thereon]

The Speaker: I recognise the Honourable Deputy Premier.

Hon. Moses I. Kirkconnell, Deputy Premier: Thank you, Madam Speaker.

I rise to offer a short contribution on the National Conservation Bill 2013. Conservation and environmental protection has been a topic of national discussion for over a decade and is focused largely on the appropriate role of Government in identifying the mitigating environmental issues. During this time input from conservationists has called for increased Government intervention, while others, who are more inclined to favour individual responsibility, call for less intervention. Madam Speaker, in my view, given that the introduction and enforcement of this conservation legislation is vital to the protection of our ecosystems and the promotion of sustainable development in the Cayman Islands, this is long overdue.

Madam Speaker, the Minister steering this has had a lot of public consultation. I am happy to report to this honourable House that a public meeting was held in Cayman Brac last Saturday for residents of Cayman Brac and Little Cayman. The meeting was well attended, for a Saturday afternoon. The Minister brought his team and they were able to answer many questions that were asked. It was a long interactive session with many concerned people from the Brac, and representation from Little Cayman as well.

Madam Speaker, the main concern that was brought that afternoon was the statement: Can the government take your land. The Minister very ably

explained the Law, and he very ably explained that this was an open consultation, and if committee stage amendments were needed to address this that he would consider it. And I believe that committee stage amendments are coming that will continue to address this issue to a satisfactory involvement with this Law.

The Council itself was also talked about and the representation in Council. It was specifically brought up in this meeting by one individual, supported by other individuals in attendance, that representation from Cayman Brac and Little Cayman would want to be put on the [Council] because of the reason of separation of the islands. Madam Speaker, you and I clearly know that we would lobby heavily for having a representative from Cayman Brac and Little Cayman on that Council when it was being brought through Cabinet. But I think the obligation is for us to look at how we put this into the Law, that it is satisfactory for representation across all districts. Madam Speaker, in the open and transparent way that the Minister has dealt with these issues, he has considered this. I believe, and I am reliably informed, that in the committee stage amendments this (again, as I compliment the Minister in how he dealt with these) will be looked at and dealt with.

Madam Speaker, I know that you will be happy to know that the meeting was held, as we discussed before, and that was something that everybody stayed long for and every question that was asked was very ably answered and open discussion was had.

Madam Speaker, as my Ministry represents tourism, I would like your permission to read a statement that was published in the [12 June 2013] [Cayman News Service](#). It is a statement that was released by the Cayman Islands Tourism Authority. I have a copy of it for you, Madam Speaker, if you wish.

The Speaker: Yes, thank you.

Please proceed. We will ask the Serjeant-at-Arms to lay it on the Table.

Hon. Moses I. Kirkconnell: Thank you, Madam Speaker.

“The Cayman Islands tourism product has benefited from the decades of protection of the ocean environment and the establishment of marine parks more than 25 years ago, the Cayman Islands Tourism Association (CITA) said this week, as it offered its formal support to government on the long-awaited National Conservation Law. The private sector tourism body said that environmental issues directly affect tourism businesses’ future ability to be competitive in the marketplace.

“CITA, which has consistently backed the need for a conservation law, said it had reaffirmed that commitment with its membership on Monday. Following a general meeting of the association,

where the Department of the Environment was invited to present the details of the law, officials said a survey of members showed continuing support for the legislation of up to 87% of the membership in favour of the law, which, it said has been the ‘leading provision of CITA’s top tourism issue of the environment.’

“In a short statement the association pointed to the ‘sustainable operating practices to support longevity as well as sustainable development to assure industry growth’ in the proposed law.”

Madam Speaker, it has been said in the discussion and public consultation that the concern was whether this would actually slow down the development in the Cayman Islands and if it would put another process in place that had to be navigated for permission to move forward.

I think it’s extremely relevant that another group, the society of Cayman Architects, Surveyors and Engineers (CASE), has also offered its backing to the Law and is urging its passage to offer certainty for developers, despite the scaremongering in recent weeks that the Law will put an end to development in the Cayman Islands. The professional body whose members are entirely dependent on development have offered their support with the majority agreeing that the Bill is an essential piece of legislation that needs to be enacted as soon as possible.

Madam Speaker, I also have a copy of this, as I would like to read some more from it, with your permission. [[Cayman News Service](#), 12 October 2013]

The Speaker: Please proceed.

Hon. Moses I. Kirkconnell: Thank you, Madam Speaker.

Madam Speaker, **“The body’s executive council went on to advise its members to become actively involved in what it said would be many opportunities created by the National Conservation Law. Far from wringing their hands at the imminent collapse of the economy as we know it, as has been advocated . . .**

“It will eliminate the current practice of addressing the environmental concerns of a proposed major development on an ad-hoc basis without clear requirements or guidelines, which is a welcome relief to investors who will now know upfront what the requirements are for an environmental impact assessment,” CASE said. ‘Many international investors are accustomed to considering environmental aspects of a major development prior to the planning application process.’”

Madam Speaker, they go on to say, **“The new National Conservation Law is a first step towards a sustainable development policy for the Cayman Islands that if successfully implemented,**

will hopefully preserve the variety and richness of our natural environment for future generations.”

Madam Speaker, what is important about this is that these are the architects, the surveyors and the engineers of this country. And there is no better group to give advice on the process of application and planning. I believe that it gives comfort to all Members of this House who are looking at this piece of legislation to know that the ones who depend on this for a livelihood have made a statement that they do not feel it is going to encumber. They feel it is going to strengthen and, in essence, will bring developers here that would only come because of the Conservation Bill being enacted.

Thank you for allowing me to read those in, Madam Speaker.

Madam Speaker, the Cayman Islands have been richly blessed with a staggering diversity of both terrestrial and marine ecosystems that are replete with species that are either endemic to the region or indigenous to our shores. While all of us here in this honourable House are familiar with the significance of tourism and the environment at a local level, I would like to marginally widen the net and offer some statistics pertinent to the Caribbean region as a whole. I think it is prudent for us to look at what our competition is doing.

These statistics were presented earlier this year at a summit of Caribbean political and business leaders and is the first conservation initiative embraced by almost a dozen Caribbean governments across the region.

The Caribbean: Nearly 40 million people live in this region in 37 different countries and territories. The region is home to 10 per cent of the world's coral reefs. And more than 12,000 species of fish and marine mammals share this tropical paradise with us. More than 25 million tourists come to the Caribbean annually generating \$25 billion, or 50 per cent of our collective annual economies. They come for our natural unspoiled environment and beauty, Madam Speaker. These astounding statistics illustrate the impact, importance and symbiotic relationship that exist between tourism and the environment. Madam Speaker, I therefore applaud the fact that the proposed National Conservation legislation will provide the Department of Environment with clear and sufficient mandates to protect critical habitats, fragile species and reasonably enforce those protections.

Madam Speaker, for the first time in the history of the Cayman Islands a legal and legislative framework will be in place for marine and terrestrial issues to be jointly managed, making conservation on land now as important as conservation of our marine environment. From a tourism perspective, because we rely so heavily on the utilisation of our Islands' natural resources, the implementation of this law will play a critical role in preserving our way of life and the sustainability of our economy. By ensuring that the

environmental issues are holistically included when considering development projects careless loss of extraordinary variety of life that exists on our Islands will be mitigated safeguarding our biological diversity for future generations to enjoy.

Madam Speaker, the exceptional richness of life inherent to the Cayman Islands will not fare well if the implementation of this Bill continues to be postponed year after year. I believe that each of us know that effective regulation has been required for a considerable time, and that to do nothing will ultimately result in irreversible decline in our nation's flora and fauna.

Madam Speaker, the fact that other countries both in the Caribbean region and around the world have enacted legislation that is far stronger and more restrictive than what is being proposed here, highlights the global recognition of the need to conserve threatened, endangered and depleted fauna and flora, and to implement sustainable solutions for the management of the world's terrestrial coastal and ocean resources. But rather than focusing on perceived inadequacies, Madam Speaker, my preference is to focus on the considerable opportunities that this Bill provides to help us establish our conservation priorities and protect the species and ecosystems that are vital for our sustainability.

As a nation, we must move beyond protecting only the most obvious and scenic areas, and extend our protection to those often overlooked areas that may not be visually stunning but are equally as important. Madam Speaker, I am pleased that through the public consultation process a wide variety of viewpoints have been debated. These discussions have brought together issues that are relevant to both a successful economy and a well-managed environment.

Madam Speaker, again, the Minister in the way that he has taken this out to public consultation with a meeting in each district, the way he has accepted emails, notes, telephone calls, and his team has answered questions and done presentations, has, I believe, offered each of us the ability to give input. And it has been received, in my opinion, by open ears and continues to be managed. I believe that will be borne out in the committee stage amendments that will be brought.

I believe that, going forward, the passage of this Bill into law will help us all to refrain from our perspective on how we value and manage our environment and encourage us to shift our thinking from conservation being seen as a disadvantage, to conservation being seen, instead, as an investment in our future. There will always be a need for infrastructure and development in our Islands. This Bill will ensure that proposed projects are designed and developed thoughtfully in a way that is sustainable and that promotes mutual relationship with our natural environment.

In other words, the co-dependent relationship between tourism and development must be positioned to provide a bedrock of economic growth and sustainable employment through the provision of responsible economic development and sound environmental management. As a Government, we are committed to keeping the Cayman Islands healthy and productive for the ongoing benefit of our people, our natural diversity and our economy. Madam Speaker, in addition to tourism industry leaders and stakeholders who have endorsed this Bill, I also encourage other business leaders and developers to step forward and make sure their views are heard.

The unprecedented challenges that we face in today's world with dwindling natural resources, economic recession, climate change and other threats mandate that all of us begin working together to reach common and beneficial goals. More than ever before, innovative ways must be found to ensure that nature continues to provide the food, water, energy and other services that societies depend on for survival.

Madam Speaker, I reiterate that we have been aware for years of the need to enact legislation that would address the challenges posed by emerging environmental issues at both a local and global level. We have also known for at least a decade that clear and specific criteria are required to objectively assess proposed development to ensure balance, transparency and compliance. I think each one of us realises that this is about balance and about what is good for each person in the Cayman Islands for the greater good.

In 2010 the World Bank president, Robert Zoellick launched a programme to help governments to tangibly account for the value of their natural capital. **"We know that human well-being depends on ecosystems and biodiversity. We also know they are degrading at an alarming rate."** [Mr. Zoellick said.](#) **"One of the causes is our failure to properly value ecosystems and all they do for us—and the solution therefore lies in taking full account of our ecosystem services when countries make policies."**

Madam Speaker, an example of the value of our natural resources was brought out by Britain's Deputy Prime Minister, Nick Clegg, as he is on record as stating that how well a country is doing is currently judged by looking almost exclusively at the money it makes while ignoring the state of its assets, like forests or coastal areas, which are vital natural capital for the future. The UK is consequently reforming its national accounts and said that by 2020 they will also reflect the country's natural wealth. Other European Union members are following suit in incorporating the value of their ecosystems within their national accounting and reporting practices.

Let us clearly understand, Madam Speaker, that conservation is not just about saving a few living species and interesting places for future generations

to peer at and wonder about. Conservation is about ensuring the environment as a whole can continue to deliver the natural capital we rely on for our livelihoods and our economic sustainability and success and understanding its fundamental value.

Madam Speaker, I believe this underpins a big part of what we are debating. Conservation is about ensuring that the environment as a whole can continue to deliver the natural capital we rely on for our livelihoods and our economic sustainability and success and understanding its fundamental value. Madam Speaker, we should all be united in a shared commitment to protect the magnificent natural environment that we have been blessed with, cultivating precaution, caring in conservation while at the same time ensuring that we preserve our cultural traditions and practices.

Finally, Madam Speaker, I believe that this National Conservation Bill will bring our Islands into line with the majority of countries in our region and in the world.

In closing I compliment the Minister and his team for the hard work they put in with the public consultation and public meetings and I support this Bill and look forward to the support of all other honourable Members of this House.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

I recognise the Elected Member for East End.

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

I hear a little muttering out there about fire and brimstone, but I ain't going to do that, Madam Speaker—to the disappointment of the Government, I am sure.

Let me begin by laying my cards on the table, like I have done many times publicly before, and that is that I am not a conservationist. I am no tree-hugger. But I understand very well that extinction is forever. I understand that, Madam Speaker. I believe that each and every Member of this House recognises the need to keep something that is "Caymanian" because we are losing that very fast. We are losing it to the point that all and sundry who come to this country dictate to us exactly how we need to live or how we should live.

When I walked through the passageways of this honourable House with the Premier's personal assistant yesterday, we were looking at the pictures on the walls. I explained to him about some of those that did not have a nametag (the little brass plate), those whom I knew. Madam Speaker, there are very few people on that wall who cannot call this country their home. That says to me that we were smart enough to take care of this country to the point where now in this year, 2013, people have come and they

have gone. I have seen them come, I have seen them go. They see the glory, but they don't know our story.

Our story is known to us. Our story is known to the 18 elected Members in these hallowed halls. We, and our forefathers, made that story. We understood what it was to work hard, preserve that which we had. We understood what it was to ensure that we left something for those who were coming behind, such as the 18 Members of these hallowed halls, and I. They understood then and they engrained that in us to ensure that we maintained one square yard in this country that is ours.

Madam Speaker, there are many of us in here who toiled the soil. I know I can speak on behalf of the Premier. His father was, and is, a good man. But, oh what a taskmaster he was to the Premier. Just like my father was. Maybe he still is. Madam Speaker, the concept of conservation in our country was instilled in us. I speak, particularly, of the people of East End. The fact that East End is undeveloped (or should we say, underdeveloped) is not because people didn't want to come in and develop. It is primarily because East Enders didn't want that; they prefer what they have. And that resulted in what they can now brag about and continue to protect.

Now, Madam Speaker, I know there are some of us in here who don't understand that concept because they come from a different side of the country. They wouldn't understand what it is for people like me and the people of East End, who I grew up with (and, to some extent, the Premier), when we stand and say we have taken care of what we had. We have protected, we have respected the environment around us. Some of them will not understand the differences between their approach and mine, or that of the people of East End, and how the people of East End will see it as an encroachment on what they know to be the fact, and what they had to do all these years, and what was passed on from generation to generation.

So, Madam Speaker, when the Minister for the Environment, who is piloting this Bill, spoke of cutting off Ironwood and sitting on the stump and calling themselves environmentalists . . .

[Inaudible interjection]

Mr. V. Arden McLean: "Conservationists," he said?

Madam Speaker, I personally took offence to it. Not to the point where I would say too much of him. There were people who spoke to me this morning, because of what East Enders are . . . and the Premier can attest to this. We have protected Ironwood. We have! It is sacred in the district of East End. The only time you are going to see a piece of Ironwood out of its natural environment is if a tree falls. They are not cutting green trees—never!—except when they used to build homes out of it. Well, they cut them now for fence posts because . . . Well, you can't get a staple

in it except on the outside bark and the little piece outside. You have to tie the barbed wire around it.

But what happened is that if the tree falls they will use it because that is one corner post you will never have to change again, or the gate post. But, Madam Speaker, with the exception of the Premier, I can't say how many others in here have seen the Ironwood in the wild. I don't think too many have. And there is nothing bad about that; it's difficult to identify in the wild. You have to know it to really pick it out, especially where it grows.

I would invite all Members to go with the Premier and I, and his dad and other members of that community, to East End so that they can see what this is. I know it would be a privilege for you to go there with me, Mr. Premier, to see what it is. But since I cannot do that, Madam Speaker, I know I can't, they will not be able to go . . . so, you know what they say about Mohammed? You bring the mountain to Mohammed. So with the assistance of my able assistant, I would like to lay a piece of Ironwood on the Table.



[Inaudible interjections]

Mr. V. Arden McLean: Thank you, very much, Mr. Miller.

The Speaker: Permission granted, provided you also add the proviso that when and if this Bill is passed it can be engraved and laid in a very auspicious place in Parliament. Or do you want to take it back to East End?

Mr. V. Arden McLean: Madam Speaker, great minds think alike! And that is precisely why Mr. Miller . . . look, Madam Speaker, at how this works.

East, Madam Speaker, east, east, east. The further east you go the smarter we are!

[Laughter]

Mr. V. Arden McLean: Because we preserve it.

Cayman Brac has been preserved, Little Cayman has been preserved, East End, North Side, Bodden Town have been preserved. That is why I brought it today, in order that it can stay in this parliament so that we, and all those that visit this parliament, can understand what Ironwood is.

And, by the way, Madam Speaker, in his travels from here on in, the Minister will not mistake an Ironwood stump from a Grape Tree stump. So you'll know exactly which it is!

Mr. V. Arden McLean: He can now inspect it, see the bark and get it into his memory so he can see the stump.

Don't worry; the Premier knows it. He knows it. He cut plenty of them, too, with his papa, his father. And you too, Madam Speaker. You grew up in the east end of Cayman Brac. East, east, east! Go east!

If you want life, go east! We know the environment. We know. The fact that all others come here has never even been inside land. They drive on the road and most of them don't even drive the roads, other than within George Town. But they are the ones who are saying we need to protect the environment. It's already protected!

That tree is not alive, Madam Speaker, because it fell. And it is now being used for fence posts. But, of course, you know, Madam Speaker, that tree will stay there forever and ever and ever on that ground so the people cut it up and preserve it and you could probably cut that piece and you would lose the blade on that chainsaw. You won't use that one again. So, hopefully we will get someone to do something with that and put it in this parliament.

Madam Speaker, having done that for the benefit of the Minister after he, I hope without intent, slighted the people of East End, I now turn to some of the provisions of this Bill.

Madam Speaker, let us look at this Bill. We continue to hear that the time has come to do this because it has been around for 10 years. Madam Speaker, we need to stop using that excuse, that that's the reason why we need to do it, because as we speak we continue to make amendments to the Bill. That is precisely why it has been around for 10 years. It wasn't good from the first one. And right now I see the Attorney General out there. Everybody is submitting amendments to this Bill, even the drafters are drafting and redrafting and the likes. Madam Speaker, that is no disrespect to anyone. It is a fact that it wasn't right in the first instance and it is not right now. It's that simple. Madam Speaker, I have some sage advice for the Minister. Watch out for those wolves in sheep's clothing—those who would have ulterior motives for having this Bill in place and rushing it through.

There is much to do in our country. Lord knows I don't think we 18 will get through with it all. There's much to do. But there are people who want to have their way. Madam Speaker, when I was Minister and trying to go through the so-called Ironwood forest with the road . . . and there's not too much Ironwood in there, Premier. They cut it out of George Town, but East End has plenty of it still. I was on the radio one day (the Radio Cayman talk show) trying to explain what we were trying to do and the need to have that road through the "Ironwood forest" and the host (what's his name?), Sterling, was inundated with emails, derogatory emails, not only from the general public but from the staff of government. I eventually withdrew that proposal with the support of my colleagues at the time, and the rest is history.

Madam Speaker, it wasn't the civil servants and their misbehavior and disrespect for the position of Minister or Cabinet, which made a policy directive to do it, that caused us to withdraw it. It was out of respect for the people of this country. There were other times as well during the administration of 2005 to 2009 where those tree-huggers who sat in government did everything possible to stop every project that the PPM Administration was promoting. Madam Speaker, the difference is that they think that people don't know. They think that people are stupid because they have the authority on the processes within the service. But they get fooled. I keep telling them to go east, because we can apply the practicalities to these things.

The problem with this Bill is what is not seen. I applaud the Minister for making all of these amendments. The Member for North Side and I are bringing some as well. Of course, the Government may not take them because it may (in the words of the Minister) "water it down." Well, sometimes the Swanky [SOUNDS LIKE] needs some water on it.

Madam Speaker, everybody wants what they want. Some of the things that have been said about this Bill, how we don't have any teeth in the existing laws, is not necessarily true. I just don't understand why we are using scare tactics to convince people to support this Bill.

[Inaudible interjection]

Mr. V. Arden McLean: Well, Madam Speaker, the Minister said we're using it to oppose it. We have to, because it is going to sterilise us as a country. We have to! We have to use whatever is necessary to ensure that this is done properly.

Madam Speaker, I have said before that there is an easier way of doing this. I told the Minister on Monday night . . . and he will tell you the reception wasn't that good. But there was a good discussion. Madam Speaker, he asked me on Monday night what my proposals would be. And I explained it to him.

Currently the Planning Law requires any developer to provide up to 5 per cent of their property for public open space. I believe that we would get further ahead, we would be more successful in preserving, in conserving this land if we used a similar provision for areas that are sensitive, so that when you are going to develop your property you are required to put up, say, 10 per cent of it, aside which it must be left in its natural state (as opposed to public open space), because not all lands are going to be sensitive. So those that do not have any endangered species, or special species, will be required to do 5 per cent, because they say they are not going to take your land. I believe that's a better answer.

Here is why, Madam Speaker: We talk about not encroaching on people's land. Madam Speaker, the only thing Caymanians hold dear is land. I even

heard the Premier say that. And that is true. Now, Madam Speaker, we can convince people to put up part of their property for conservation when they are going to develop it, because they are required to put 5 per cent anyhow for public open space. So the DoE identifies the most suitable section of it and that is what we carve out. Here is why I say that, Madam Speaker, and how we will get more.

Madam Speaker, you know that in East End the majority of the land is owned in large tracts of 50, 100, 200, 300 acres of property. And I use a simple example. There is a family in East End right now. The parents have recently passed on. The only thing the dad knew was to turn that land, to toil, to plant for his children to raise them. He preserved every Thatch tree, every Coto is still there, because they have a value to those people. That is why East End looks the way it does. A Thatch tree has a value. Unlike George Town, where they use bulldozers to push them out—all of you push them out—and build buildings and extract the economic value of the land, which was to build buildings. Okay?

In East End the value is in the same Silver Thatch Tree that *unna* now pushed down in George Town and are now coming to East End to try to save. There is value in it for them because we still thatch our cabanas. Nobody touches them. They are sacred. Ms. Carmen, Miss Grashala and the likes, still need the tops to make their baskets and their craftwork. And the Premier's father still needs to have a land basket because that land basket has to be on his head (and he puts one on the Premier's head too), so he needs the top out of it. So he is not going to cut down that Thatch tree. That Thatch tree, 90 per cent of the time is on rock. You cannot plant on rock. Importantly, that Thatch tree provides shade also on your ground. And the Mahogany tree, you're not touching it. And the Birch tree, worse, because Birch tree creates the line for your fence. And Ironwood must remain there.

So, here we are, this gentleman saved all of the things on his land and his children inherited it. They are considered in here as owners. A lot of the people promoting this Bill are in opposition to others developing land, developers—unscrupulous developers (whichever way you want to define that). And that family in East End who owns 100 acres has nothing else bequeathed to them but that. When they become a developer they may potentially have to do an Environmental Impact Assessment (EIA) which will cost a million dollars. Where are they going to get it from?

Do you understand what the people are thinking? So if you are not taking their land, you are making it sterile because it's useless. They no longer have their inheritance. It's dead. All they are going to do is look at it forever and ever and ever. They cannot afford to develop it.

But if we were to work with that owner/developer what we could do is take 10 acres out of

that 100 and then pass it on to the National Trust or the DoE manages it, or whatever. It would be so much cheaper for that family because if the Planning requires them to leave 5 per cent for open public space, then the people are going to require them to develop it and put swing sets and this and that, which is going to cost them another hundred thousand dollars. But if you leave it in its natural state it will be okay. You won't have to spend anything. And it's protected forever and a day.

So, Madam Speaker, here is where I am at. We are trying to stop "unscrupulous" developers, and in response we are killing the very people who have preserved the land in East End. And the people of East End will never ever get economic power from their property whilst the others of us got millions of dollars in our pockets and have destroyed the bulrush and the seashore. That is what this Bill is going to give us. And we can do different. We can preserve more. We can have the Ironwood stumps and we can have the Winter's Land cistern and we can have the Thatch tree.

I recently went inland, last week Sunday, and drove by . . . I always knew that we preserved these things, Madam Speaker. It's a natural thing, so it comes natural to me. Unlike the Minister who has always lived in George Town (he doesn't see it that often), it is just a natural thing to me to drive in on the Farm Road and know that the Thatch tree is going to be there and know that the Birch tree is going to be there and know that the Mahogany trees are going to be there. But I paid particular attention last Sunday.

My brother and I and friends, and your good friend Darrell [PHONETIC]. I paid particular attention while driving to see how many Thatch trees I could count because of this Bill. And Mr. Warren's piece of property, big, large acres, and Uncle Evelyn's [PHONETIC] adjoined somewhere up in there. I could not count them, Madam Speaker. But that grass piece was recently cut. Not one Thatch tree was touched. Not one. That is what it means.

Now, Madam Speaker, they have protected those things. And when they find that there is a potential to sterilise their land, even if it's not all of it that is sensitive, or some more sensitive than other parts of it, there is a potential that you have to do an impact assessment on direct or indirect impact, according to the law. They feel an encroachment on their ownership. And rightly so. They feel like the government is encroaching on their ownership. You can't tell them that it's not, Madam Speaker. You cannot tell them that it is not.

We continue to talk about the length of time that this Bill has been around. True. How many times have we gone out and explained to these people? You can't tell someone that their land is not going to be encroached upon, or their ownership is not going to be encroached upon, when the Bill, under [clause] 9, says that any piece of land can be nominated as a

protected area by any person. When they know that these tree-hugger Johnny-come-lately's who don't understand East End . . . let's put it down to Winter's Land, Madam Speaker, and let's see what it really says.

We know, and even the staff at DoE will agree with me, that Winter's Land is a very sensitive area. It has all kinds of value for this country. It has been totally absolutely protected, except the cows. They hardly even want to walk through it. My family owns 50 acres adjoining it on the north side. So let's get that straight. I don't want *unna* go research now and say that Joshua McLean owns next to it. *Unna* get that straight, okay? But let's talk about Winter's Land, and someone nominates that under [clause] 9 as a protected area. And the Council receives that nomination.

Now, the Government, the Minister, the Director and all others, have all said only crown property will be designated protected areas and only properties designated under the conservation plan would be private property. Yes, Mr. Minister, that is precisely what the Law says. The only protected area in here is crown property, no private property will be under protected areas, designated protected areas. Private property will be under a conservation plan because if they sell it, it's gone to government, then it will be a protected area. So no private land will be designated protected area. Right.

So, Madam Speaker, under [clause] 9 Winter's Land is nominated. And [there are] 13 owners [of] Winter's Land. All 13 reject it. Remember, the Government says as soon as the proprietor rejects their offer for sale, then the initiative is dead. Am I correct? Unless, of course, they accept their offer to create a conservation plan. But both of those initiatives, having been offered, are rejected by Winter's Land people, the 13 owners.

Why are we consulting with the public and putting notification in the papers? Why? According to the Government it is over; it is done. And they can go into Winter's Land and push it down, destroy it. Why are we going to consult with the public then? Why?

Why?

Is it the public pressure on those people to change their mind to purchase it? Or is it to verify that it deserves to be a protected area and Government has the right, then, in the public interest to take it? Why do we have that in here? Why?

I don't know, Madam Speaker. But it certainly sends the message to those owners of Winter's Land that Government says one thing and writes into law another.

Madam Speaker, I also told the Minister in East End that if you are in New York, you're in Timbuktu, you're in Russia, you're in Cuba or Egypt, the Ukraine, right now every citizen in any country in this world, no matter where . . . the reason they don't trust their governments is because their governments do not give them the truth, the whole truth and nothing

but the truth. They suspect that their government does not tell them the truth.

The Minister asked if I am confessing? Confession would be good for his soul!

[Laughter]

Mr. V. Arden McLean: Madam Speaker, therein lies where we are at. I want to see a Conservation Bill, and if the Minister gets up here again and talks about cutting down Ironwood stumps and sitting on them and calling himself a conservationist, I am going to stop him on a point of order.

Madam Speaker, you can poll every member of this country, every citizen of this country. I would venture to say that I know that the majority of responses in East End would be that we want to preserve something for our children. I bet you, Madam Speaker, it will be 90 per cent. But they want to know that they can also utilise their properties. Our job is to explain it to them. Our job is not to tell them that we want to preserve something for their children. The 18 of us want to ensure that the children enjoy what we enjoy. But then we turn around and say you can go ahead and destroy the land. That's what we are saying when we say that after we identify it, and you don't want to sell it, and you don't want to go into a plan, go ahead and destroy it. That's what we are saying! We cannot preserve it leaving it as it is.

So don't tell me I don't want to conserve. The Minister is right . . . watering it down so we can maintain public opinion of us. If we are going to preserve it we need to put systems in place to ensure that it is preserved.

Madam Speaker, I have a few acres on the Queen's Highway that my dad left me. Told me I couldn't do anything on it that had any mortgage on it. That's why I haven't built on it yet. But it is in close proximity to where we released two blue iguanas with that tall skinny man, Burton [PHONETIC]. That's the only thing my father left. And I always said that I wanted to keep one square yard of land in this country for me and my two children because we can stand up in one square yard. That is six feet. If I am on the boundary, three feet, I can always defend that side. (That's why you get a square yard. Always remember that.) If you come on the other boundary, if I am on this boundary I am fighting you; if you come on that boundary my hand can reach you. You can't come in. That's why a square yard. My grandfather taught me that.

Now, Madam Speaker, even though that's all my dad had to leave me, that is ecologically important to this country. And the Government approaches me and says, *We need to buy your property, we want to buy your property at market value.* I say, *No! My dad left that for me and my two children.* [And Government says], *But we would like your plan—* [I will say] *No, because I want my children to have something so they*

can build in a few years when they are ready. Mind, they mightn't, because time far from [INAUDIBLE]. But they may. I need to make provisions for that. So the Government is going to turn its back on me and say, *Go ahead and do what you want with it.*

No, Madam Speaker. Here's what happens now. When I apply to Planning to get permission to build a little weekend cabin there, they know it is in close proximity to the iguana preserve. They are going to consult DoE, and rightly so. I support that. I want you to know that, Mr. Minister. It should not be where Planning decides if they want to consult the DoE and the next day they say, *Oh, don't worry about them because we are not going to say anything anyhow.* No, no, no. Everything must go there too, just like it is going that way. Okay? Large development; I ain't talking about somebody who is going to build a house on a ready lot. But if you want to do a subdivision that's what you should do.

Now, what is going to happen to my piece of land when I want to subdivide it into three lots to be sure I give each of my children one? I can't, because DoE is consulted and DoE is going to respond to Planning and the Council and say, *Do not allow this to happen.* That's what [clause] 41 says.

Madam Speaker, I am trying to assist us as a people to preserve something. But I know how that goes. All you need to do is open your mouth in this country and you're the villain. Well, I am going to be the villain here today. You haven't heard anything yet.

[Inaudible interjection]

Mr. V. Arden McLean: I'd rather be wood.

[Clause] 41, Madam Speaker . . . and you will notice that I am not absolutely against everything in this Bill. I need to talk about what is going to encroach on the people being able to do anything. And I know, Madam Speaker, that the Minister is going to get up (he's making notes) and [clause] 41 says it's only protected areas and their critical habitat that the Council will advise on or direct on.

Madam Speaker, if such is the case, what is the purpose of this [Bill]? You are telling me that Winter's Land, which has one of the most critical freshwater areas in this country—because water is involved in this, ground water—most of the Ironwood in this country, some of the largest Mahogany trees in this country . . . You went there before, right? And so you know what I am talking about, right?

Madam Speaker, the north well is not the same as Winter's Land system, but it's a deep well about 12 or 14 feet. I guess it's from the same underwater lens, or whatever. Madam Speaker, you need to go see. I know Alden carried you through there long time.

Madam Speaker, for the benefit of Members, it is as blue as the blue ocean. I don't know what causes it to turn blue. I don't know why the water is

blue underneath there, but it's protected by shade with the rock. You have to go into it. And I will bet you it is 30 degrees lower than the ambient temperature. Well, the north cistern, you have to go down about 8 to 10 feet in the ground in the well. You went to the north cistern? Never been there? Oh. The north cistern in Winter's Land. Nobody goes there. That's why the people of east End feel encroached upon. You understand?

Mr. Minister we should all go up there one time. Let's do this right. If we want to go to the Winter's Land people . . . 135 acres. Do you know why it's [called] Winter's Land? Because it's green in winter when [everywhere] else is dry. And they put their cattle in there. Simple answer. Let's go down in that. Go down in it, feel it; feel what it is to preserve. I have taken a number of people there. I took Mr. Billy Adam and his brother, the young one, Timmy. You have to beat Billy out of there with a stick now. He is always trespassing on these people's cow pasture. But he enjoys it. (Billy will understand when I say he's trespassing.) Some levity.

Madam Speaker, what I am saying is that if those people want to develop now . . . they didn't want to sell, they didn't want to go into a conservation plan, because under this you can't do any farming either, because they are going to recognise that, *Oh, if we are going to a conservation plan we still can't put (I don't know) 60-odd head of cattle there in winter.* At some stage they decide, *Okay, we're forgetting about Planning because this property has been passed down for 200 to 300 years through the family.* One of those generations [will] want to develop this and, in accordance with the Bill, we will offer them the going price for it. They will reject it. They see the potential of more money in developing it. And we walk away? That is what we are going to do?

And there are 30 "contiguous" acres (*unna* like that word) to Winter's Land. Nothing but Ironwood. You know why government got that? They got it because the people who initially went and cut out Winter's Land didn't need the cliff up there. It is just bared the Benickel cliff and all it has on it are Ironwood, Coto and Birch trees, which are what we are protecting in here. We will protect that, but a large portion of Winter's Land where the cistern well is (what we call the Winter's Land cistern), is cliff rock. The cows walk through it going to the pasture. They come back and go to the well. We will sit down and beat them, destroy every Ironwood tree in that and preserve the government property which is contiguous with it, when the cliff part of Winter's Land where the well is may be 10 acres out of the whole 35. Where you are walking by the well, by the time you walk through the cliff there and get into open grass piece, that's probably about 10 to 12 acres, maybe, out of 35.

Madam Speaker, therein lies the concern people have. We can take everybody there and they can be amazed at the wonders of Winter's Land. But if

we lose it, it's gone. If we lose much of that land up there, it is gone. So let us be fair in our assessment. Let us be fair in how we approach this thing called conservation. Let us be bold and say what we are going to do, and, at the same time allow people to do the same thing, or part of what all others have done with their inheritance. Let them extract some little value out of theirs as well.

We are going to push people too far in this country in the interest of those who are hugging up those trees who, I said before, now see our glory and do not know our story. Madam Speaker, we have to be very careful. People want to trust their Government. Give it to them straight. Give it to them in order that they can make their own decision. We like to talk about we know what's best. Oh yeah? We know what's best? That is the biggest problem with any elected representative. We like to think that we know what's best. We like to think that we need to protect people from themselves.

That may be true in some instance. But, Madam Speaker, people have the same knowledge we have of the history of this country and the history of the families of this country. Other people have, you know. We think it's only us? They know precisely what went on in their country. They know who got what. They know who took what. I don't think they are envious of those people, but they expect that they can utilise their own to some extent too. That's fair. I think it's a fair approach. But it is easier for us to talk to someone about giving up some of their property than to make them get the perception that you are going to sterilise their entire property. It's much easier; much, much easier.

I look at those farms in East End, Madam Speaker—hundreds and hundreds of acres. Some of them, all of them, provide a service to this country. Many of them. I am sure when the scientists check they will find that those farms, the parts not being used, are sensitive. But the law says that directly and indirectly if it affects the protected area they could very well have a problem.

Madam Speaker, I must say that there is too much that we don't know. We don't know a number of things in this Bill and what effect it will have on our country and the use of our properties. We are yet to see it. I know the Minister is saying he's going to bring some amendments thereto. When I think that under [clause] 20 the Government is proposing that, **“(3) The Council may, as a condition of granting a permit and having regard to the potential damage to natural resources from the activity and the costs of remedying that damage, require the applicant to (a) post a bond in a form acceptable to the Council in such amount as the Council may determine; and (b) pay a prescribed mitigation fee which shall be applied to the Fund.”**

Madam Speaker, not one thing in there talks about stopping it and shutting it down. So, we are go-

ing to go ahead with the same behaviour we have always had.

Now, the question is, Why is that in this? Is it that some of us still have land we need to develop and we need to put a caveat in there so that we can pay the money? Madam Speaker, the devil is in the details. That same little family that I talked about in East End that has 100 acres should really think. They can do any mitigation fees or bond. You think that was written for them? That was written for those with deep pockets. Madam Speaker, in our quest we have a feather in our hat. In the eyes of the public we are making provisions to do what we want still. Madam Speaker, I challenge the Minister to take it out, this thing about mitigation, or re-write it, there shall be no mitigation it must be restored to its original state, or as close thereto.

That's what they are going to do. Ask forgiveness afterwards. They are going to use that provision. And in the meantime the onus is still going to be on East Enders, North Siders and Bodden Towners to preserve the land—the little bit that we are going to have left. We are going to cut it off right there by Spotts/Newlands. We are going to put a gate up there and charge them to come and look at the trees. We are going to put a gate there. In my retirement I will be there collecting the money, because I understand my family lives long, and *unna* have a long time to put up with me. I know I am going to have to put up with that Premier. But he knows he is going to have to put up with me too! He's figuring on 100, 105; I'm figuring on 120. I am going to see him.

Madam Speaker, let me . . . I . . . Oh lord. One of the other things I spoke to, Madam Speaker, . . . let me go briefly on this marine section now. I see my good friend's husband smile because he knows where I am coming from. What his name is? Bothwell? He knows where I am coming [from]. But he has to go home to Suzanne tonight too.

[Laughter]

Mr. V. Arden McLean: Madam Speaker, I spoke to the Minister the other night about the marine aspect of this. During the last Government, I think it must have been March, or thereabouts, of this year, all we do as Premier is we decided in a debate here on the Marine Conservation Bill that we were going to allow spearguns back in. I understand the dangers of a speargun. Not physical to the human being, but to the environment, the marine life. But when it is in a controlled environment, I believe it is something worthwhile taking on.

I note with interest that there is nothing in here concerning limits and the likes. And I was told . . . I think it's [clause] 22 that says about the granting of licence and then about regulations. There are no regulations. I even heard the Councillor from George Town asking that the regulations come soon.

Now, Madam Speaker, I know what the Regulations to the Marine Conservation Law (2007 Revision) say. A number of limits are in there, but some of the limits were in the Law as well. And the fact that we were repealing the Law, this Bill, if it gets passed . . . I know you have the numbers to pass it. I would remind you of those who have taken up this fight before. Keep them in the forefront of your mind. No disrespect.

Are you listening?

Okay. One term.

[Laughter]

Mr. V. Arden McLean: Madam Speaker, one of the reasons the Marine Conservation Law was done was because it was believed we were destroying the marine life in Cayman. And rightly so. There were species that were getting destroyed. But in its creation we also understood that there was a cultural thing. It was a means of feeding one's family prior to . . . in this country. Nowadays that is not necessarily so, but the things that we hunt are a delicacy now to all of us in this country. We legislated certain limits to ensure, or try to ensure, that we didn't do anything adverse with it.

Madam Speaker, I thought the limits were good. But the Law and the enforcement were not. If this Minister is going to do anything . . . he talks about his legacy, our legacy. I am sure he ain't talking about himself. If he wants a legacy he needs to find money for the protection of the environment. Legislation, preservation does not make. I'm telling you. I have preached this for the last 13 years inside here. We change the Marine Conservation Law every time a new Government comes in here and don't put in one cent to enforce it. Well, they are getting the money out of that fund now—which I hope that's what it is going to be used for, and not go buy everybody's land!

Madam Speaker, as I said in March this year, Parliament then decided on reintroducing spearguns and giving spearguns to people under certain conditions, which was to be brought back to Parliament with some proposals. Of course, you know, it ain't going to come because I suspect that it is no different now than it was when I first came here. [If] people don't want something, they don't do it. [If] they don't want it; they don't do it. No respect for Parliament.

Now I am encouraging the Minister to pick up on that aspect of this, whether he makes an amendment now, which I am going to propose (if he accepts that), or put it in the regulations. Here's why I say that, and here's why I talk about enforcement. And if the department will be truthful they will tell you I have always asked for more enforcement. And I was a little surprised and shocked that the people of East End were told that no one assists in East End and no one calls, whether it is East End or anywhere else. But

when you call and they go on the scene they say it's you who called. And then they curse you.

Madam Speaker, you don't want me to go there. They really don't want me to go that distance. Because I have throttled my big mouth in to ensure that stayed right where it was for three years now. Okay? I ain't going there. But they must not make those broad sweeping statements around me. Okay?

Now, Madam Speaker, let's talk about these licences that we have taken away. The Conservation Board has refused to renew people's licences, and what have you, rightly or wrongly. Madam Speaker, [do] we really think that someone who goes to all the trouble of going and getting a licence is going to destroy the environment? Do we really believe that? It's not they who are destroying it; it is those we have no control over. How do we stop them? Put boats on the water.

And, Madam Speaker, I hear, *Find some Caymanians who know where those shoals are*, somebody like the Sixth Elected Member for George Town.

[Inaudible interjection]

Mr. V. Arden McLean: No. He knows where they are. He and his brothers.

Madam Speaker, the Minister talked about the lack of power for fisheries officers and this Bill is going to empower them and give them arms and things like that. We really believe that?

Minister, you never read this Law, *owa*? The Marine Conservation Law. And I ain't being disrespectful to you, Minister. Regulation 17(1), **"A fisheries officer may, at any time, board a boat that he reasonably suspects is being used for purposes that require a licence under this Part and may thereupon- (a) demand production of the licence; and (b) carry out such inspection as seems necessary to him in order to ascertain whether the Law, these regulations and the conditions of the licence are being complied with.**

"(2) The operator of the boat shall comply with any reasonable request for the facilitation of the exercise by a fisheries officer of his powers under this regulation."

The Law, section 5, **"(1) The Board may appoint suitable persons to be fisheries officers and entrust them with such powers as may be considered necessary to enable them to assist in the enforcement of this Law and such fisheries officers shall hold office at the Board's pleasure and be ex officio members of the staff of the Board.**

"(2) All constables and game wardens are ex officio fisheries officers.

"(3) Fisheries officers, subject to the directions of the Board, have, for the purpose of performing their duties under this Law, all the rights

and immunities of constables acting generally in the ordinary course of their duty.”

What does “constable” mean? Not police?

Madam Speaker, the power is there. They are not carrying it out. You can't carry out the powers on the water if you are driving around on land. Therein lies our problem with conservation in this country—N-O-T-H-I-N-G is being done. We don't put sufficient out there, and those who go are afraid. And then the police do not assist them. Do you think there is any legislation or any legislator smart enough to legislate for somebody to take fear out of somebody? Do you think you are going to give them equipment, whether they can break down the door or not, and whether they get [with] this provision in here for them to get a warrant? I am a justice of the peace, they can come get the warrant, but they won't go and execute it.

Madam Speaker, it is a waste of time if we don't enforce the law. We might as well leave these hallowed halls now and go home. And we are looking to legislate provisions for power when it's there! Don't say it's not there. And that this Bill will give them the authority to enforce the law. It's here. It's here.

You have too many private businesses. That's the problem in this country. And not working on government time to enforce the Marine Conservation Law, or the Animals Law, or any other law. And if it is because they don't have the resources then the Government has responsibility. Successive Governments have had that responsibility and they have done nothing.

Now if the Minister wants to create a legacy that's the greatest legacy he can create—provide the resources out of that fund. Don't give it to that Council to manage, because that's in here too. I don't know what “manage” means. This is the most convoluted Bill I have ever seen. You try to get everything in it, it doesn't have a thing. One thing does the other and destroys the other section of it. Thirteen years. And I tell you, I'm no lawyer like you, but I have seen legislation.

Madam Speaker, I have some concerns about . . . you know, the Minister was right in East End. He said, *Mr. McLean, you know how these regulation things go. It might be two years; it might be six months, it might be whatever* (and I understand that) *before they come. Then you can operate the Law without the regulations.* Mr. Minister, that's what you said. And I appreciate that. Many times that has happened. Many times that same thing has been the case. But because this Law is being repealed by this Bill I encourage the Minister to bring those regulations as soon as possible. They need to be brought.

And may I also ask the Minister to make an amendment to this Bill to require regulations to have affirmative resolution?

He is saying no.

All right. He wants to have total control and Cabinet the same.

Madam Speaker, in a piece of legislation as important as this, because it affects everybody, just like the Planning Law, I believe it is necessary to do that to ensure that we all get our say on it. Planning is the same way because it's people's land. The sensitivity of people's ownership and the Conservation Law . . . it needs to be done. It needs to be within these hallowed halls through affirmative action.

Madam Speaker, talking about me asking for all these things . . . the Minister said, I think in his introduction, that I had had the opportunity to give input into this Bill. And I know they are going to get up and say that I refused to come to meetings, and I have so much to say now. Madam Speaker, for the benefit of the listening public, and to pre-empt the Minister, and probably the Premier, from saying that, let me read some correspondence between the Minister and I. You'll give me permission, right?

The Speaker: Please proceed. Do you have an extra copy?

Mr. V. Arden McLean: No, Madam Speaker. I'll get it copied.

Madam Speaker, I received an email from the Minister on 10 November (Sunday), to Mr. Miller and I: “Gentlemen, I promised the final draft of the NCB and now attach the same. I will be grateful if you would confirm whether you are both available during the week of the 18th for a presentation on the current version of the Law by the technical team from the DoE. Perhaps you might indicate which day/days you would prefer. I look forward to hearing from you.” [UNVERIFIED QUOTE]

I responded on the 14th of November: “Wayne, please accept my apologies for not responding earlier. I am currently off Island and will not be returning until Friday the 15th. I have been unable to review the Bill you forwarded to me, therefore I cannot give you a definite time that I will be prepared to attend a presentation on same. Upon my return and after reviewing it I will let you know. Regards, Arden.” [UNVERIFIED QUOTE]

The Minister responded shortly thereafter (no, a little while, because I believe he was asleep when I sent it): “Dear Arden, thank you very much for your response. In fact, I was in fact thinking of the afternoon of the 20th to arrange for the presentation to be made on the basis that that would allow sufficient time and opportunity to review the Bill particularly so in light of the fact that this Bill is not new and has been the subject of conversation consideration and consultation for at least 10 years. Once this is arranged you will receive an invitation and I hope that you are in a position to attend. Regards.” [UNVERIFIED QUOTE]

Madam Speaker, on the 18th (a Monday), in the evening, I got an email from his office inviting me to a presentation by Dr. Gina Ebanks-Petrie and team on Wednesday, 20th November, at 2:30 in the Prem-

ier's boardroom on the 5th floor, and also asking me to confirm my attendance. I responded on the 19th and said to, directing the Minister . . . unfortunately I was responding to the young lady who sent it when she called me. (What a coincidence.) And I never did get to send that because I told her I was just going to respond to the Minister.

I said: "Thanks for the invite to the presentation on the NCB scheduled for tomorrow, November 20th. Unfortunately, I am unable to attend as I do not think that I am sufficiently familiar with the Bill due to my absence from the Island last week which resulted in me not having time to properly review the provisions. In the circumstances I am not comfortable and my input would not do justice to this very important piece of legislation. I trust there will be another timeframe put and I look forward to such an opportunity. On another issue, if this Bill has been gazetted how do you propose making changes from the expected input? Arden." [UNVERIFIED QUOTE]

The Speaker: Member for East End, is this an appropriate time for the luncheon break?

Mr. V. Arden McLean: Madam Speaker, I just want to read his response to that.

The Speaker: Okay.

Mr. V. Arden McLean: He responded on the 21st to me: "Dear Arden, Thank you for your response. I was disappointed that you felt unable to attend when the remainder of your colleagues did, in fact, attend. The presentation was detailed and allowed for questions which would put you in a better position when you are reviewing the Bill. In any event, there will in fact be other opportunities which you will be advised of and which I hope you will be able to take advantage of. Kind regards, Minister." [UNVERIFIED QUOTE]

So, Madam Speaker, before they get up and say anything, there was correspondence between the Minister and I concerning my involvement. I wasn't comfortable with it because . . . as I said earlier, this Bill has been around 10 years. I agree. But we are still changing it up until today.

Thank you, Madam Speaker, we are going for—

The Speaker: We will now take the luncheon break and come back at 2:00 pm.

Proceedings suspended at 12:35 pm

Proceedings resumed at 2:10 pm

The Speaker: Please be seated. Proceedings are resumed.

BILL

SECOND READING

NATIONAL CONSERVATION BILL 2013

[Continuation of debate thereon]

The Speaker: I invite the Elected Member for East End to continue his debate. You have 15 minutes remaining.

Mr. V. Arden McLean: Madam Speaker, I know all these Members are not going to speak. Somebody should give me another hour.

Thank you, Madam Speaker. Just let me wind up on some of this then, since that's the case.

What we need is for the Government to make changes to [clause] 41 and [clause] 9 in order that the Bill can be supported in its entirety. Let me just touch briefly on this Council that has been the subject of much discussion.

I believe the Member for North Side touched on the fact that the Council had somebody from Cayman Brac and Little Cayman on it initially. In the 2009 draft I am positive it was there. But it appears like there have been significant changes in there. My concern is, Madam Speaker, that in both drafts since 2009, that I am aware of, the Director of Planning is a member of that board, a full voting member, or his nominee (whichever). I don't know if, administratively, that is allowed in that the Director of Planning is the secretary to the CPA [Central Planning Authority]. And how can he/she sit as a voting member of a board that can give directives to an authority that has the right to make decisions without being interfered [with], not even by Cabinet?

I recall the Attorney General advising me (this current Attorney General) when I was a Minister that I couldn't give directives other than general directives to any authority. Which is true, particularly directives based on matters under consideration at the time. [I] could give general directives, but not on matters under consideration by the boards. I have my concerns about that. And maybe the Attorney General can tell us how, administratively, that is going to work. If the Director of Planning is going to sit on that Council, Planning is going to ask that Council for advice and then the Director of Planning is going to make decisions on that counsel as a directive to the authority that he/she is a secretary to. I don't know if, administratively, that is somewhat convoluted. So I await the Attorney General's legal advice on that matter.

Madam Speaker, I too called for the Council to reflect the representation from all of the districts. I hear the Deputy Premier saying that there will be one from Cayman Brac and Little Cayman. Well, I certainly would like to find that there is one from East End also.

Madam Speaker, the Premier says he's going to fix us up. He is trying to protect his own land in East End. He's got plenty of it up there too!

[Laughter]

Mr. V. Arden McLean: Your inheritance will certainly bequeath you with such.

Madam Speaker, I appreciate that, because I know the Premier's father will ensure . . . He will come back out of his grave if they get rid of all of that. Just like my father would!

I believe that by and large we need some means of protecting the environment. I cannot say, in fairness to all concerned, that this Bill really gives us what is needed. I believe it is a simple process to ensure that we get some. I know we will hear that it's about large-scale developments and the likes. And I understand that, Madam Speaker. That is when an EIA [Environmental Impact Assessment] and the likes will kick in. And we keep saying that there is no provision for EIAs now. There is no provision for anyone else to control it.

Madam Speaker, I don't have copies to distribute, but I know in a private conversation the Premier asked me to show him a particular piece of information I was discussing. In the [[Report on Proposed Amendment to the Development Plan 1997](#), Environment & Coastal Zone Management, April 18 2002], "Current provisions for environmental impact statements [are set out in Appendix 3 in the Development and Plan 1997, the content requirement of which are outlined as follows: 'The submission of an environmental impact statement (EIS) for development projects which, because of the characteristics of the site or the particulars of the proposal, may be required in order for the authority to carefully examine the potential impact of the development prior to the determination of the application. An environmental impact statement shall include the appropriate plans, information and data in sufficient detail to enable the Authority to determine, examine and assess the potential environmental impacts of the proposal.'"]

Now, the legal minds may say that is not an environmental assessment. But, certainly, Madam Speaker, the authority has the right to require an environmental impact assessment from developers. If we are going to say that we want the Council, the National Conservation Law, to manage that, then we need to do something about the Development Plan 1997, because they have the responsibility now to do it.

And mind you, Madam Speaker, the Minister may be right. They don't carry out that responsibility in the manner that it should be done—religiously, every time. And the most suited to do that and to determine on particular projects, if there is a requirement, should be the Council or DoE, whichever the director and his/her staff may say is required. And I am not opposing that, but we can't say that provisions are not avail-

able to require an EIA on projects. Maybe it needs to be under this National Conservation Law. But we need to look at it and see whether or not, currently, this law will not bring a duplication of that requirement.

Madam Speaker, I will try to get copies of this for you and the Premier. But if we remember, the objectives of the Development Plan 1997 were, Madam Speaker, I will try to get copies of this for you and the Premier. But if we remember, the objectives of the Development Plan 1997 were . . . the general aim of the Plan is, "To maintain the quality of life in Cayman by the wise use of resources by effectively directing development so as to safeguard . . . economic, cultural, social, and general welfare of the people."

Somehow we need to make this Bill dovetail with the Development Planning Law of 1997. Madam Speaker, remember, that's the only time it was updated when it should have been updated every five years and it had been in place then 20 years . . . 10 years? Twenty years. So, in their drafting and in their review of this between now and when we reach Committee stage I believe that it would do well for the Minister to review that to see whether or not they are duplicating purposes. But, more importantly, if we are we could run the risk of being judicially challenged with some of these things.

Madam Speaker, I want to see some more changes on this Bill, amendments. I want to see our Members support the provisions for spearguns, and I believe that can be done the same way we do with firearms now. If you are buying a speargun, it's 100 per cent duty on it. If you are buying parts, it's 100 per cent duty on it. You have to be of good character. All of us would like to continue the provision and the ability to spear fish, but within proper controls.

This is not going to stop the people who have makeshift spearguns. But you know those same ones will not get licensed. And to stop those we need to enforce it. We need to be the enforcer, because there is no licence they are going to apply for. They are going to continue to spear fish. They are going to continue to take conchs. It doesn't make sense to give licence for taking of conch, whelk and lobster. I say it does not make sense. The way it is now, the good citizens are always going to abide by the law. Who is not going to abide by the law are those who will never get a licence because of their character (they are not of good character), and they are going to continue to poach our wild life. What we need to do is enforce it.

Madam Speaker, when I was a Minister I took the monies for the roads in East End—and I want the Minister to listen to this very carefully. I took the monies for the repair of roads in East End with the blessing of my colleagues, including the now Premier, and I repaired the police station in East End. And this is not about police. And one of the provisions I made there was for the marine officers' office. It is yet to be manned. The other move was to put a dock in back of the police station so they could keep their boats there.

But, of course, that was not to be. Madam Speaker, I believe that is what is needed in every community, i.e., North Sound, North Side, East End, Bodden Town, George Town. And North sound would cover West Bay. We need proper enforcement in these things, proper enforcement when it comes to the protection. And I have always asked for that.

Madam Speaker, the last thing that I would like the Minister to respond to is . . . I know we talk about the environment and I know we talk about the provisions of the generation of electricity by means of fossil fuel. And the environment would do well if we used alternative methods, such as wind and solar. Now, there is ample evidence available that wind is, 1) expensive—very expensive; 2) cannot be used for firm power; 3) (an important thing) it has an adverse impact on wild life. I know the Doppler radar has an exclusion zone. I know the airport has a height exclusion zone. The one from the airport goes up to Breakers. The one from the Doppler station comes down to Breakers. There is a space of about 200 yards right along North Side Road where they come next to each other. And then when we go east it stops somewhere around Tokka Restaurant. That is the end of the exclusion zone to the Doppler

Exclusion zones, as you graduate you can go higher, but then you can't go any higher within those zones. And I think it's 100 feet at the farthest point. Now, any windmill is going to be 300 feet high from tip to tip, 100 feet to the motor, and 150 feet each side of the motor. So we are talking about 340, or thereabouts, the height, 320. There is very little space (I am winding it up like the windmill now) to plant or install any of these windmills in this country because you can't do it on the western side based on these exclusion zones. It has to be up on that side.

Now, as we get out of the exclusion zone we have just . . . the Premier, during the 2005 to 2009 Government, gave the National Trust some 300 acres of government land for a parrot reserve up there.

[Inaudible interjection]

Mr. V. Arden McLean: You stop cutting down those Ironwoods and sitting on their stumps.

The Speaker: Member for East End, your time has expired. So if you would wind up . . .

Mr. V. Arden McLean: I would like a little time to wind up, which you will allow won't you? A couple of minutes?

The Speaker: If that is your request, it's granted, once it's not prolonged or protracted.

Mr. V. Arden McLean: No. I just want to say that the effects, if they are going to be installed anywhere it's going to be in close proximity to the reserve, which is

in fair proximity to the Ramsar site, the CITES [Convention on International Trade in Endangered Species of Wild Flora and Fauna] site, which is the pond where all the birds are. You have the parrot reserve and the iguana reserve, and less than a mile down the road the CITES Colliers Pond starts and goes up. So you are right at the end of the Island. And it is going to affect . . . that's why in the North Sea nowadays they are putting them out over the ocean. I want to know about the effects. Have there been any studies done or reviews done to see what effects those will have on the wild life in East End.

Madam Speaker, the last thing I have to do is thank you and Members, especially the Minister. I look forward to his response. He should not take it as an insult that I brought the Ironwood for him. Some of the Members have asked that I take them over to Winter's Land. Maybe we should do a big thing of it and have a picnic and make the Premier show us all about the trees that Mr. McNee taught him [about]. And then we will all know what a Thatch Palm is, what a Bull Thatch is and what a Royal Palm tree is and what a Birch Tree is and Coto and Lady Hair.

[Inaudible interjections]

Mr. V. Arden McLean: So, Madam Speaker, I thank you for your indulgence. I look forward to some of the changes being made so that I can support this Bill in its entirety. Thank you.

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

Honourable Minister responsible for Health.

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

Madam Speaker, you talk about a hard act to follow. And I don't have any Ironwood, so . . . we aren't going up that one!

Madam Speaker, like many of my colleagues on both sides of the House, I initially had a number of misgivings about the proposed National Conservation Bill. It has been some time since the last Government that I was a part of tabled a version of this Bill as a white paper in the Legislative Assembly and . . . it was circulated, not tabled. I have not yet familiarised myself with the latest version that we have before us today.

Like many, I have heard the criticisms of the Conservation Bill, that it would slow development, that it would impact all landowners, that it was draconian and the allegation that it would create an all-powerful Council that would ride roughshod over all of us and bring our economic development to a standstill.

Madam Speaker, I heard the critics, and I must confess that some of the fear mongering—

because that is what a lot of it was—affected me and made me wonder whether the National Conservation Bill was one that I could support. But, I am a person who believes that it is important to hear both sides of the story before jumping to conclusions. And in this job as Minister, I can tell you that that belief has been reinforced, because if I jumped at every story that I heard I would go crazy!

So, when Minister Panton advised us that he planned to move ahead with the Bill, I set out to familiarize myself with the latest draft and the views of those who support it. I have spoken to many people, like all of us, about the Bill. And, Madam Speaker, I listened carefully. I have discovered that there is support for the Bill in many corners and, to be honest, it is more of a vocal minority against it.

My colleague from Bodden Town, the Honourable Minister of Environment, has said the time to move forward with this Bill has come. And I am very proud to be a part of a Government that is finally bringing it to this honourable House to debate. There can be no denying that we in the Cayman Islands have enjoyed and benefitted from our natural environment. Our biodiversity and natural beauty are part of what makes the Cayman Islands such an attractive place to visit bringing tourists to our shores and benefitting our economy.

Development has been a driver of our economic engine for some time. Without development we would not enjoy the quality of life that we have today. But, Madam Speaker, we have not always done a good job of ensuring that this development has respected our natural environment. In fact, some would say that the environment has never been adequately considered when development occurs. Apart from what the Member for East End was talking about (which is some of the pristine land in the east and in the north) a lot of times we don't have that anywhere else—even in the Brac. And you know that well, Madam Speaker, [there has been] a lot of clearing and tearing down of the natural habitat, some of it is essential. But we can do more with selective clearing and being more careful with what we do when we go to a property to deal with it.

Who are we developing for, Madam Speaker? That's the question. We have to look carefully that we develop in a way that ensures that future generations will be able to experience and enjoy the natural environment. We can't stop development; it would be foolhardy to do so. I would never want anyone to think that because I support this Bill that I am anti-development. I just believe that we must find a balance. And a National Conservation Bill once [enacted] into law will provide a much-needed tool to achieve that balance, in my opinion.

Balance is really the key, Madam Speaker. We cannot afford to have development proceeding at all costs with disregard for our natural capital. This Bill provides a legal framework to ensure that the natural

environment is considered when development is being proposed. It's as simple as that. This Bill will provide, really for the first time, protection for terrestrial habitats and endemic species. The marine parks under the Marine Conservation Law, which many Members of this House will recall were very controversial when first proposed, have provided some measure of protection to our marine environment. And the recent review has shown that they are working. We need to have similar protection and success with our terrestrial environment.

Habitat loss is one of the major contributing factors to species becoming endangered and extinct. I believe that it is more sustainable to take steps to protect the critical habitat of our endemic species than to push them to the brink of extinction, as we did with the blue iguana, and then have to invest significantly more in bringing them back from the brink, if that's possible. Unfortunately, this is not always feasible. We would have invested less in protecting them in the first instance.

Madam Speaker, the National Conservation Bill makes provision for a Conservation Council to be appointed by Cabinet. The membership and role of this Council has been the subject of much debate and criticism both in this honourable House and in the public. There have been suggestions that the Council is too technical or overly weighted with civil servants. Madam Speaker, given the responsibilities of this Council, particularly as an advisory body, I would like to ask what reasons we would have to exclude the technocrats and the advice they can give. I believe that the proposal to have some technical expertise in the Cabinet-appointed members is a sound one and, contrary to the assertions of the Member for North Side, I believe that we will be able to identify these people without any problem. However, in agreement with him, I also believe that having some of the Cabinet-appointed members as non-technical people and more representative of the Islands could enhance the Council as these members will bring a lay-person's perspective to the Council's deliberations.

I think in other speeches so far we have heard Members suggest that we include district representation, in particular, I guess from the eastern districts and the Brac where most of the pristine land still exists. I think that's very important, Madam Speaker, that we have the views shared by people who represent those areas. Even from West Bay, which doesn't have much pristine land left, we should have representation from there too.

[Inaudible interjection]

Hon. Osbourne V. Bodden: You have Barkers here.

I think in the spirit of Christmas we will include West Bay.

[Inaudible interjections and laughter]

Hon. Osbourne V. Bodden: Yes, yes.
Just a light moment, Madam Speaker.

[Inaudible interjection]

Hon. Osbourne V. Bodden: Madam Speaker, I do not believe that this Bill is about fettering decision makers or taking away the rights of property owners. I believe that this Bill lays out a framework that will lead to better decision making through clearer processes, public engagement through mandatory public notice requirements and getting better information to decision makers.

Yes, the decision makers will now need to have regard for the advice of the Council and the advice from any environmental impact studies that are done. However, at the end of the day, the decision-making bodies will still have to make the decisions. And that is important to understand, Madam Speaker—this advisory role of the Council. They will continue to do so in the framework of their governing legislation, such as the Development and Planning legislation, with the benefit of the information they will get to inform their decisions as a result of the provisions of this Bill.

Madam Speaker, there is no perfect legislation. And this piece is no different. But we have the ability to come back to this honourable House and make the necessary changes, if we see areas that are being problematic, going forward. I certainly will not be a party to any legislation that hurts my people. But I also take my responsibilities seriously to legislate for them fairly and honestly. For example, we have to be careful with the burden of proof shifting to the defendant. This can be abused because we all know that with any position of authority can come abuse, whether it's police, immigration, customs, in this case wardens. If you have the wrong person behind that wheel, or wherever they are, it can be abused.

Madam Speaker, I know that the Minister is going to be looking at this area when we go to Committee stage because the last thing we need is for one of us to be out there taking some conch from the right area, out there with our family, and we happen to be in an environmentally protected area and up comes an officer. And the next thing he is telling you is that you have to prove that the conch didn't come from under the boat. We can't afford that, Madam Speaker.

[Inaudible interjection]

Hon. Osbourne V. Bodden: And then, Madam Speaker, the other area of concern (I just heard the Leader of the Opposition talk about) is the area of the warrantless searches. I understand that the only way that will be employed is in the area of hot pursuit, which means that the officer/warden, is actively chasing someone, sees them go into a property and can,

at that point, enter without a warrant. That makes sense.

[Inaudible interjection]

Hon. Osbourne V. Bodden: That does make sense.

[Inaudible interjection]

Hon. Osbourne V. Bodden: If you see me running in there with the thing in my hand you should.

[Inaudible interjection]

Hon. Osbourne V. Bodden: Yes!

But if the track is cold, they can't just come then. But that's why it's called "hot pursuit."

[Inaudible interjection]

Hon. Osbourne V. Bodden: If the perpetrator runs through your house you're in trouble!

[Laughter]

Hon. Osbourne V. Bodden: Madam Speaker, there has been some suggestion that this Bill should be held up to allow us to incorporate the provisions of a sustainable development policy and an infrastructure policy. Madam Speaker, these may be desirable policies, but in some ways they are really separate issues from this Bill and I do not think that adding them to this Bill is a sensible thing to do. This Bill is a Conservation Bill and makes provisions to help us achieve that necessary balance between development and environment. Passing this Bill does not prevent or preclude Government from making an infrastructure policy or a sustainable development policy. It is a very important point, Madam Speaker.

Madam Speaker, my Ministry has plans to find a comprehensive solid waste management solution for the country. We are embarking on the process with the understanding that any projects under this initiative will likely require an EIA (Environmental Impact Assessment). With the Conservation Bill in place, Madam Speaker, I will appreciate having the process clearly laid out including timelines and formalised public input, because it will give me greater confidence regarding the timeline of the project moving through the process. The public input process that will be embodied in the EIA process will also help me, as a decision maker, to be made aware of the public's views on the project's impact and will mean that I am in a much more informed position when moving the project forward.

Madam Speaker, I will close my short contribution now. But I want to commend my colleague from Bodden Town and the Department for having the fortitude to progress this Bill through to this point. We

have to start somewhere, Madam Speaker, in our quest for sustainable development. I know landowners are wary of such legislation and, in some cases, rightly so. On the other hand, the environmentalists and conservationists among us will feel we have fallen short in some ways. But, as I said before, it's all about balance. The fact that we are somewhere in the middle of the two . . . I believe that we have a piece of workable legislation. We owe it to our children to preserve our Islands as best we can while developing them for future generations.

Too much of anything is not good for you, Madam Speaker. And we have to remember the word "moderation" in all that we do. I trust this Bill will see safe passage through this honourable House and one day it will be viewed too in the same way as the much lauded Marine Conservation Law. And the benefits will be there for all to see.

[Inaudible interjection]

Hon. Osbourne V. Boddén: You said the Leader of the Opposition voted against that?

I can't believe that. My goodness!

Thank you, Madam Speaker. And may God bless these Islands we all love abundantly. And may He be pleased with our efforts here in this honourable House this week. Thank you.

The Speaker: Does any other Member wish to speak?

I recognise the Second Elected Member for George Town.

Mr. Roy M. McTaggart, Second Elected Member for George Town: Thank you, Madam Speaker, for allowing me the opportunity to give my contribution to this important piece of legislation that is before us for debate.

It should come as no surprise to Members that I am supporting this Bill. For the last several weeks I have been Tweeting my support, posting my support on Facebook, and I think I have been contacted by just about every news house in town seeking my opinion and what stand I would be taking on this piece of legislation. But I am delighted to be a part of this Assembly that is considering this Bill. At the appropriate time I will be lending my support by voting in favour of it.

Madam Speaker, this is a piece of legislation that is more than 10 years in the making. Let's not make any bones about it. This Bill had its genesis in 2002. And no Government since, who has taken it up as a means of trying to advance it and bring it to fruition, has cast it away and said, *Let's start afresh*. Opportunities were provided to do so. So I do not accept in this House that this Bill is as bad as some have made it out to be.

Unquestionably, this issue of national conservation, and this Bill in particular, has been the most debated and the most consulted piece of legislation in the history of this country. We have been at it for 10 years. And we only now seem to be able to bring it to fruition. I have been contacted and have had debates with many of my constituents. What I have found is that those who support it understand it and believe the time is right for us to act and bring this legislation to fruition. But I have also found that many have not read the Bill, but have relied on hearsay and what they have gleaned from the press.

I have to say, with some sadness, that there are those in our society who sought to incite fear. I call them the scaremongers. They also seem to have had a field day with this piece of legislation. Madam Speaker, they do us all a disservice, as they have somewhat stifled intelligent debate and constructive conversation. But I thought in the few minutes that I would like to take, Madam Speaker, that I would take a bit of a different approach and just share with Members why I support this Bill.

Why does this Bill deserve to be passed? Why should we bring into effect a National Conservation Bill? I believe, first of all, that our natural environment is an integral part of our national identity. It is who we are. It differentiates us from other nations around us and gives us a sense of national pride.

For many years we have had a Marine Conservation Law. And there is no one in this House, I believe, that could honestly stand and say that that Law has not been successful. It has its issues; it's not perfect. But it has performed a useful function. But for all these years we have always neglected our terrestrial conservation. And this is what this Bill seeks to accomplish. The biggest problem we face today when it comes to conservation, particularly on the Marine side, is with those in our midst who chose to ignore the Law, and who will take the protected species, like our conch, our lobster or our grouper, indiscriminately without any regard for the laws and the preservation of these species in our midst.

Secondly, this National Conservation Law will provide developers with clear and unambiguous guidelines as to what is required when they are contemplating large developments. This is welcomed. And I was pleased to see the comments yesterday by the CASE, the architects and surveyors and engineers, who so rightly pointed out that the importance of this for foreign inward investment in this country. Investors are accustomed to such laws. They expect to see them. They like to know the bounds upon which they operate. And quite often in speaking with people, they say that they are surprised that a country like Cayman does not have such legislation.

Thirdly, it goes a long way towards helping the country meet its international obligations on the multi-lateral environmental agreements that have been ex-

tended to us, including the Environmental Charter we signed with the United Kingdom in 2002.

Fourth, it also allows Government to meet its obligations to the people of the Cayman Islands, as set out in the 2009 Constitution. To the best of my knowledge this Bill before this House and the Standards in Public Life Bill are the final pieces of legislation that are required to give full effect to the 2009 Constitution.

One Caymanian shared this information with me: We are the only country in our region that has no national parks. And only 5 per cent of our landmass is protected in any way at this point. And that is done by the National Trust. I am also told that the international norm that we should be striving for is 15 per cent. That's another debate. Minister Archer so rightly pointed out yesterday and made mention of the fact that we are the last Overseas Territory to have a bird species become extinct—the Cayman Thrush. Ladies and gentlemen, this has happened during our lifetime. Madam Speaker, these are things that no Caymanian should be proud of. It is a very dubious reputation as far as I am concerned. And we must act to change it.

Fifth, I would suggest that it is the first step towards a sustainable development policy that would preserve our environment and its biodiversity. This Bill is about protecting animals, plants and natural resources. It is not about waste management, recycling and other great initiatives, as some have proffered. They are the subjects of future legislation that Government must tackle if it is to effectively deal with the critical environmental issues that face our country. Madam Speaker, this is a first step.

Finally, this Bill will allow us to conserve this place that we call paradise—our home—for the benefit of our children and our grandchildren. That alone, Madam Speaker, makes it worthwhile.

In conclusion, I believe firmly that it is time for us to act. We cannot continue to delay this any longer. Personally, I would rather act and do something to address a problem than to do nothing at all. I do not want to leave a legacy that I was in a position to do something to preserve our environment but took no action and let things slide. This Bill has been significantly amended because of input received from the public. I commend the Minister for his willingness to take on and receive that input, even up to this point as we are debating this piece of legislation in this honourable House.

The Speaker: Would Members please check their phones or other electronic devices to make sure it's not interfering with the system? Thank you.

Mr. Roy M. McTaggart: It is my understanding that even now as we have been debating this Bill there are other Committee stage amendments to come. And I commend the Minister for his willingness to listen and make those amendments.

What I do hope and pray is that the amendments and Committee stage amendments that are brought and accepted will be sufficient to allow us all to give this Bill our assent. That, indeed, would truly be an early Christmas present for the people of this country.

Madam Speaker, history will judge us. And I believe that it will quickly render judgment. It will not be very long before we see what effect this Bill will start to have on this country because I do not believe that it will stifle development and chase investment away, given the large number of significant development projects that we know are being discussed and that are potentially on the drawing board. We will learn very quickly just how this Bill is received and how quickly it will be acted on.

I am encouraging everyone in this honourable House, especially those who have thus far spoken in opposition, to reconsider, with the amendments that will be brought and accepted at Committee stage. Certainly we can get to a point in this House where, while it is not completely satisfactory to every one of us, Madam Speaker, it will get to a point where we all can support it. The Bill, many have said (and I agree), is not perfect. I have no doubt that as time passes it will need to be amended. But, certainly we can say it is far enough and it has gotten to the point where I am able to support it.

I commend it to everyone and urge your support when that vote is taken. Thank you.

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

I will invite the Fourth Elected Member for the district of Bodden Town.

Mr. Alva H. Suckoo, Jr., Fourth Elected Member for Bodden Town: Thank you, Madam Speaker.

I am going to be deliberately brief because I believe the time for talk has come to an end and it's time for action.

Just this morning, when I was getting ready to come to this honourable House, my wife called and asked me to look out the bedroom window. Not thinking it was anything to be excited about, I took my time. But I finally did get over there and she and my two-year-old daughter were actually standing looking at the window. When I asked them what it was, it was an animal that we refer to as the Cayman rabbit sitting under a palm tree eating some berries for his breakfast this morning. I don't have to tell you, Madam Speaker, how excited my two-year-old was at seeing this. But I have to admit it actually made me feel proud to know that my yard was being visited by an animal that has become so rare.

We have had similar experiences just walking on the beach in Bodden Town, where, for the first time in my life, I was able to witness a turtle nest erupting

and baby turtles coming out of the sand making their way to the sea. Again, my two-year-old was caught in the middle of this. I could never find the words to describe her behaviour that day—the excitement and the screaming. It really makes me think, Madam Speaker, how many more of those experiences are we going to be able to talk about? We have spent a lifetime developing these Islands without much thought given to the natural environment around us and what we are doing to that environment.

I am proud to stand here today and offer my support for the National Conservation Bill. Page 20 of the PPM's Manifesto stated that we would implement a National Conservation Law if elected. And I just want to quickly read what our Manifesto says, with your permission, Madam Speaker. **“Living on a small island nation that is vulnerable to the effects of climate change, our generation of Caymanians has a special responsibility to manage our marine, natural and built environment for the generations that follow after us. We know that development is essential to provide opportunity, to contribute to the economy and to provide the essentials of shelter, a safe environment, recreational areas, a business community and transportation. A properly planned approach to all of that with appropriate constraints and clear and fundamental overriding goals will be far more effective and cost us immensely less at the end of the day than relying purely on individual common sense and disconnected goals. Conservation and development cannot be viewed as conflicting goals – it is imperative that they must co-exist as that is exactly what sustainable development is about. We will therefore: Pass a National Conservation Law.”**

Madam Speaker, I think that makes it clear that the Progressives have a mandate because we were elected into Government to implement the National Conservation Law. That is one of the missions that the voters sent us here with. We can't choose to ignore that now. We must go ahead and do what we promised. We are fulfilling our mandate.

Madam Speaker, this Bill has been hanging in limbo for more than a decade now. I have to thank the Minister of the Environment for having the courage and conviction and foresight to bring the Bill forward at this time. I know it has not come without controversy. I have heard the comments. I have had people comment to me in various forums, Facebook included, asking me why I was supporting this Bill. But I think most of their concerns were based on what I term a war of misinformation. There were individuals spreading falsehoods about this Bill, spreading concerns that we really shouldn't have simply because, I think, some of them may not have benefitted individually.

But what we are doing here, Madam Speaker, is for the greater good. We can't only consider the views of a select few when we have the future of an entire nation to think about. I wasn't elected for that

purpose, Madam Speaker. My mission is different. This is not a land grab. And I don't see anything in this Bill that will allow the Government to simply take away someone's land. I agree that maybe some of the terminology may have been a bit uncertain for some people when they read it. But I know one of the Members requested yesterday that we all go on record and say we were standing behind the idea that this would not be a land grab, and that that was not what the Government was after. Well, I am happy to do that, Madam Speaker.

There are provisions in there that provide for transparency. I have satisfied myself that this Bill is in the best interest of Caymanians. Things like having meetings in public, which actually has not been done before, give me even more assurance that there is no ill will behind this Bill. The Bill actually empowers the public to have a say in the way that we develop and manage our national resources and, if you carefully read this Bill, you will see that for the first time Caymanians now have a voice in what happens to our natural environment, what happens to our natural resources. We didn't have much of a say before.

The Bill also serves to protect plants and animals that make us unique. We should not be surprised that some of the tourist visitors that we receive here today are the children that came here many years ago with their parents. They were touched and affected by what they saw and what they experienced. If we don't preserve that, Madam Speaker, what future do we have? We can't mould our tourism product into something else. We are unique. And that is why we have so many people coming here on a repeat basis, bringing their children. We have to continue to protect that. Those things that make us unique, Madam Speaker, deserve protection because they are as Caymanian as any of us.

Madam Speaker, we have seen several amendments passed around this honourable House during the course of this debate. Some would say that because the Bill isn't perfect we shouldn't be bringing it now. But I don't agree with that. These amendments are being offered because we are listening. We haven't taken the approach of simply ramming legislation down the throats of anyone. This Government is open to suggestions. And, Madam Speaker, I want to thank the Leader of the Opposition and the Members from East End and North Side for bringing their points to our attention and for contributing to this discussion. That is what democracy is about. I have to respect them for their contributions. And I think all of my colleagues do.

Again, Madam Speaker, this Government is not about bullying anyone into accepting our position. We are here to represent people. These discussions have resulted in various amendments and it is a sign that we actually have a healthy democracy and a Government that cares for its people. I also have to thank the Minister for accepting an amendment that I

wanted to bring, which was the change to [clause] 41 (which has already been discussed). I was uncomfortable with the word “directives.” He has agreed to make an amendment to satisfy my concerns. And I have to thank him for that, Madam Speaker. He didn’t have to do that.

Madam Speaker, development in this country has progressed unchecked and uncontrolled, and our environment has paid a high price. I look at my home district of Bodden Town and I see the effects of it. I looked at a map the other day, and where there used to be lush wetlands I see massive gaping holes where now exist the remnants of some quarries. That is not the legacy I want to leave for Bodden Town or for my children. That is an example of unmanaged development, Madam Speaker, development that did not take the environment into consideration.

Look at the marine life in Bodden Town. It is dwindling. We have seen the decline in sea life out there. I have witnessed it myself. I can remember going fishing as a boy with my father and coming home with all the fish we needed. Nowadays you sit there for hours with your line in the water. It might be because I am a bad fisherman, but I think the scarcity of fish might also have something to do with that!

[Laughter]

Mr. Alva H. Suckoo, Jr.: Some of the opponents of this Bill, Madam Speaker, were very vocal. As I said, they waged a war of misinformation. And I find it odd because some of those same individuals were supporting moving the dump to Bodden Town. I think it’s ironic.

[Inaudible interjection]

Mr. Alva H. Suckoo, Jr.: No. I said some of those same opponents supported moving the dump to Bodden Town!

It is unfortunate, Madam Speaker.

Madam Speaker, we want to preserve something for future generations. You know, I still have a vivid imagination. I don’t know what I can attribute that to, but suppose one of the species of plants that could potentially be destroyed forever is the cure for cancer or some other terrible disease that is plaguing this world. Don’t you think we should leave just one or two so that maybe later on some brilliant Caymanian scientist could discover it? We have to start thinking ahead and not be so selfish in the way we think.

Although it’s a bit late, Madam Speaker, I think there is still time to get it right. Look at the difference between Grand Cayman and Little Cayman. Little Cayman is one of my favourite places in this world. I would hate to think what that place would look like in a few short years if we do not take steps now to ensure that we have controlled development which takes the environment into consideration. I love to go fishing

in Little Cayman because I can actually catch something over there!

[Laughter]

Mr. Alva H. Suckoo, Jr.: Even a bad fisherman!

Madam Speaker, I want my kids and my grandkids to be able to experience that thrill. I remember the first fish that I ever caught (and I’m 42). It was a yellow tail snapper. It may not have been that big, but to me it was a monster! And I can remember my father taking me out in his boat handing me the line, and the thrill of pulling that fish into the boat. I want my kids to have memories like that too, Madam Speaker.

As mentioned by most Members of the Government, only certain species have been protected by existing legislation. This Bill now takes the bold step of allowing us to protect every species that is endemic to these Islands. We must support this legislation, Madam Speaker. If we continue down the road that we are going, everything will be extinct in a short time. We will have nothing to leave for future generations and our tourism product will die.

We understand that development is important to these Islands and that we should not stifle the economy. But I see nothing in this Bill that will result in the decline of our economic activity. And when professional societies such as CASE, the society of Cayman Architects, Surveyors and Engineers, come out and support this Bill, it should demonstrate to the public that individuals whose livelihood would depend on this Bill are coming out and supporting our position and supporting this Bill. They should see the situation for what it really is. It has been a war of propaganda waged against the Bill.

Madam Speaker, tourism depends on conservation. For us, tourism is not a fall-back option; it is not something that we are going to resort to if our financial industry fails. This economy is built on tourism and financial services. They are equally important as far as I am concerned. We have to start protecting our environment and our tourism product. We are doing a good job of protecting financial services. Let us continue that trend. Madam Speaker, this [Bill] has been accused of being draconian. I disagree with that point. While I respect the Member who made the comment, I do not see anything in this Bill that is draconian. [Clause] 41 and the amendments that are coming should give that Member some comfort.

They say that this Bill will impact negatively on development, Madam Speaker. But I prefer to say that it will impact positively on the economy and on the environment, because I am an optimist. And I think that is the approach that we have to take.

There is one area that I was concerned about. And my colleague just raised it. Again, it was the burden of proof in a situation where an individual was found in a marine park, possibly with a certain species

in their boat, and having to prove where they got it from, or have it assumed that they got it from that marine park. I do have some concerns with that position, Madam Speaker. But I think that is now being discussed and we will find a solution to that.

I also have a particular passion that I want to speak about. It is something that is near and dear to me, and that is spear fishing. I do support controlled spear fishing. I feel that if we are going to allow spear fishing it has to be heavily regulated, though, because I have seen examples of where careless and reckless individuals do wreak havoc on our marine life with spearguns. Some of our young people have gotten quite good at handling spearguns. I have seen them return from spear fishing and it is obvious that they have not been very responsible in their actions.

But my idea (which I will discuss with the Minister at a later date) is to introduce an association that will regulate spear fishing in these Islands and perhaps introduce a higher level of understanding and responsibility. If it's possible, I think then there will be a lot more comfort in allowing spear fishing and we do have an opportunity to introduce competitive spear fishing if it is done in a regulated and controlled manner.

There is a growing body of professional spear fishers who compete worldwide, who are eco-friendly, and who are interested in promoting jurisdictions such as the Cayman Islands as having taken the steps to become environmentally sensitive. These individuals are just waiting to come in here and help us promote our country as a tourist destination. But let's take it one step at a time, Madam Speaker. But, for the record, I would like to explore ways in which spear fishing can be continued as a Caymanian tradition because I am one of those individuals who actually enjoys spear fishing.

Madam Speaker, I said I would be brief (because I think talk is cheap at certain times). It's just time to go ahead and implement what we said we would do. My support for this Bill goes much further than just merely supporting my colleague, the Minister, Madam Speaker. This Bill transcends party lines. Every aspect of our lives depends on a healthy environment. And every effort to protect our environment gives us a sustainable future, a little more hope and promise. I wish to add that it is my intention to respect the views of all honourable Members of this House if they seek to make amendments to the Bill which we consider to be improvements.

I honestly believe that if we do not take a united and concerted approach in protecting our environment we do run the real risk of destroying these beautiful Islands forever. I have no concerns that this Bill will stifle development. But it will ensure that from this point onward development will have to promote a healthy environment and force developers to be responsible in their treatment of our natural resources. The days of unbridled, selfish development are now

behind us. And I stand in favour of this legislation. I am, therefore, joining my colleague, the Minister of Finance, in saying that I am supporting this Bill, not because I am PPM member, but out of the conviction that I am doing the right thing. This Bill has my full support, and I encourage every honourable Member to also support it.

I just want to leave everyone with a short quote from Benjamin Franklin. It reads, "**The man who achieves makes many mistakes but he never makes the biggest mistake of all—doing nothing.**"

Thank you, Madam Speaker.

[Applause]

The Speaker: Does any other Member wish to speak?

I recognise the First Elected Member for Bodden Town.

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

I rise to make a contribution to this very important piece of legislation. In listening to all of the prior contributors it is quite evident to me that the concern is not about conservation, per se. The big concern is the preservation and the protection of lands by our people. You and I know, Madam Speaker, that many of our people are not blessed with money. But many of our Caymanians have a little piece of land that they inherited and want to be able to pass down to their children. This is the concern that has been echoed throughout all of the deliberations on this Bill.

I listened with interest to the Members from North Side and East End and heard the ideas they put forward. It was quite an education, listening to the honourable Member for East End sharing with the House and the public [information about] such pristine land. And he has promised to take me up there in the New Year to look at Winter's Land. I have heard a lot about it in the past.

[Inaudible interjection]

Hon. Anthony S. Eden: I look forward to going there, Madam Speaker.

The Member for North Side mentioned that back in the '70s (and I am here to attest to that situation, Madam Speaker) when the cadastral survey was being undertaken, when the cadastral team got to the Prospect area the policy was changed by many of our people here and throughout Cayman [by] a man of blessed memory, Mr. Warren Connolly. But, thank God, my father, who had inherited some acreage up in the Duck Pond area, had a document with a clear, precise . . . he didn't have a lot of money. We were able to scrape up enough to take it to the courts. We took it before the Chief Justice. And, as the Member for North Side alluded, they were suggesting that if

you owned the swamp on the north side that was government land. It wouldn't be land, it would be swamp. But my father's document precisely said "bordered on the north by the North Sound."

I tried to find that document. And one of these days I will table it in the Legislative Assembly where the Chief Justice said there is no ambiguity. The clarity within the document thus saved from that part where it stopped in Prospect up on through Bodden Town, North Side and East End. The rest of them could not . . . government was not able to claim that land from them. So I am proud to be someone that at one stage was involved with this.

It is about the land, Madam Speaker, for us Caymanians. I must take my hat off to my colleague, the Elected Member responsible for the Environment, for the amendments that he is planning. At this stage I would hope, as I have seen the United States Congress, the House of Representatives and the Senate conference when there is a Bill, that other ideas come together. This is of such great importance that we don't need to rush at this time. Let's make sure the majority of people, especially our Caymanian land-owners that have the land, are comfortable that they are not going to lose their land. This is why so many people have been upset.

I was pleased to hear one of the contributors indicate that some of the advocated preservation was probably not strong enough. You need to close those loopholes. Let us do it at this time. We don't need to be rushing. When we go to Committee stage, let us talk frankly about what is best for our people.

In the past, I have watched when people go to develop, the mass clearing of land. They just put in the bulldozer and push everything down. Sometimes you wonder what happened, why the rain pattern has changed. And, thank God, we have been blessed this year with lots of good showers. Maybe it's because some of these trees are now starting to come back. But I know that in the United States you cannot go and do that mass clearing as I have seen done in the past here in Cayman.

Madam Speaker, I would encourage the Minister to continue to go on. Do not be discouraged. Probably about 20 years ago I personally, as the Minister of Drug Abuse Prevention and Rehabilitation, advocated the necessity and the benefits that would be derived from the Breaker's Rehab. I took some serious, serious licks, Madam Speaker. But it was for the right reason. It was for our people, to help those that needed that area of help.

In wrapping up, Madam Speaker, I say, if not us, who? If not now, when? My colleague, the Honourable Minister of Finance, read from Proverbs. It was very touching, Madam Speaker. As you read through the Bible, as we look around us we see how this wicked world is literally falling apart. I long for the day when we don't have to do these conservation laws, when He will come in the clouds of heaven and

prepare for us a Kingdom where He will rule supreme. Whether you are a tree-hugger or whether you are a developer, or whatever, things will be done in the right manner.

As I look at that piece of Ironwood sitting on the Table of this honourable House it brings back many memories when we used to fix lots and lots of fence. As the Honourable Premier mentioned, in doing fence you could only use that thing for a corner post. Forget about putting a nail or a staple in it, it would bend it over no matter what! And for those of you who may want to see an Ironwood tree, my youngest son was able, in building his house, to preserve one right by his house probably twice the size of that, right by his window. A majestic tree.

Madam Speaker, let us do the right thing. Let's come together on this side and the other side and deal with this legislation to what would be the satisfaction of our people. Give them that piece of mind, as I said, Madam Speaker, in listening to everything . . . their concern. We know—this Government you can trust—we are not going to take their land. But then we had to make preservation down the line if, God forbid, something untoward was to happen.

In closing, Madam Speaker, in all of this talking back and forth, the thing that really hit me the hardest and that really, really disappointed me, was one of the media houses—and I will say who it was; it was the *[Caymanian] Compass*—and the way they went trying to put this legislation down. As far as I am concerned, the disrespect that they had for the legislators and the people of these Cayman Islands . . . oh, my goodness. What was their ulterior motive?

[Inaudible interjection]

Hon. Anthony S. Eden: What is their agenda (as my colleague says)?

Let us go forward and join together and continue to do the right thing for our people.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

I recognise the Sixth Elected Member for George Town.

Mr. Joseph X. Hew, Sixth Elected Member for George Town: Thank you, Madam Speaker.

I rise to offer my contribution and full support for the National Conservation Bill 2013. I would first like to thank the many persons who have contacted me, or met with me to discuss their concerns, or to voice their support for this Bill. I have listened to all the representations made to me and I have also carefully studied the Bill myself and discussed it in detail and listened to the technical experts with my colleagues in caucus.

Everyone has an opinion. Some insightful, some misguided; others biased by personal or monetary interests, and others simply mischievous. However, Madam Speaker, I have considered all of the feedback and input received and I feel confident that I am doing the right thing here today by supporting this Bill.

Madam Speaker, in arriving at my decisions I first and foremost considered our beautiful Islands, their charm and romance, their strong seafaring and enterprising heritage and, most importantly, our children's children and their future. I can understand that some detractors have investors and their newly acquired dynasties to answer to. Or some have concerns about potential investments to protect. But, Madam Speaker, we cannot let selfish persons or greedy interest groups come like thieves in the night and steal from our generations to come what they truly deserve to inherit. And you cannot allow them to come and use and discard our country for our future generations to have to fix up or adapt to in order to live in the country of their birth.

We heard the Honourable Minister of Tourism explain the importance of the environment to our tourism product and what that means to our economy. However, many among us believe that the loss of a few species may seem irrelevant compared to major environmental problems, such as global warming or destruction of the ozone layer. But, Madam Speaker, how much can our little Islands sustain before they reach their limit? Will I have to take my grandchildren to the Turtle Farm to see what a red shank is? Or to the aviary for a nightingale? Or do I have to go on the Internet to describe what a soldier crab looks like? Or to explain what happened to the banana or the ghost orchid?

Madam Speaker, one of my favourite childhood activities was hunting for Skilpots on the beach. You know pushing your feet in the sand and the surf and when they come up you run and catch them. As kids we would dig a hole in the sand to keep them in—which wasn't very intelligent!—but we still had a lot of fun. They never ran too far, just a couple of inches below the sand. But, Madam Speaker, that's all I have now—that memory—because I haven't seen a Skilpot since I was a kid. Every time I go to the beach I say to my kids, *This is what I used to do. Let me check . . .* and I push my feet into the sand and not a Skilpot is to be found.

My youngest son, Jacob, says (when we have a good rain), *Daddy, it rained. That means it's crab season so there will be soldier crabs at the South Sound Park. Can I get Nanny to take me there this afternoon after school?* Do we want that to be just a memory for him too? for him to take his kids to the park and say, *I used to come here to catch soldier crabs.* What will our children do to pass their time, Madam Speaker? We have enough issues with electronics and other things now. Madam Speaker, with-

out this Bill there won't be any species on our shores or in our lands for them to enjoy.

In January 2013, the Fish and Wildlife Service estimated that there are 2,054 endangered or threatened species. A quick search on the Internet will tell you that there are 46 possible endangered species right here in the Cayman Islands. If we do not start to protect our land for future generations we will lose any opportunity to pass on what little is left of our culture and our heritage to our children, our grandchildren and their children.

Madam Speaker, the accepted regional standard for protecting land stands at about 15 per cent to 20 per cent. The Cayman Islands has a mere 5 per cent of its land protected. And, Madam Speaker, that is really at no thanks to our Government, as that 5 per cent is, I believe, mainly owned by the National Trust. This is nothing short of embarrassing. This is not the legacy we want to leave behind as legislators. Our great grandchildren will ask, *Why didn't they do something about the environment? Why didn't they take care of it for us?* We don't want our children, our grandchildren and their children, to have to try to figure out how to fix what we messed up. Let us put laws in place now to protect and preserve it for their livelihoods. Not leave a mess behind for them to fix.

Madam Speaker, I can appreciate that some people would have liked more time to review this amended version of the Bill. But, as many of my colleagues have said today, this has been going on since the Bill was first drafted in 2002. That is 11 years, Madam Speaker! As the saying goes, the journey of 1,000 miles begins with the first step. Madam Speaker, the passage of this Bill will be our first step.

Again, I would like to congratulate the Minister of Environment and his team for the hard work they have done. I would actually like to congratulate all of our colleagues for all of the efforts and combined and cohesive decision-making that took place in working together to get us here today.

In closing, I once read (and I would like to share with you), *I don't want nature to be a place we visit; I would like for it to continue to be a part of our home.*

Thank you, Madam Speaker.

[Applause]

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

If not, I will call on the Honourable Minister to exercise . . . Honourable Premier?

The Premier, Hon. Alden McLaughlin: Madam Speaker, if I could ask the Serjeant to help me with the lectern . . .

The Speaker: Perhaps if could have the Serjeant to return to the Chambers to assist the Premier.

The Premier, Hon. Alden McLaughlin: Or a brief suspension, Madam Speaker.

The Speaker: The House will suspend for five minutes. I'd be grateful if Members stayed in their seats.

Proceedings suspended at 3:51 pm

Proceedings resumed at 3:59 pm

The Speaker: Proceedings are resumed.
I recognise the Honourable Premier.

BILL

SECOND READING

NATIONAL CONSERVATION BILL 2013

[Continuation of debate thereon]

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

Madam Speaker, I rise to offer my contribution in this seminal debate on what is one of the most important pieces of legislation to have come to this House in many years as it relates to the preservation of all that we know as Cayman—these three jewels of the Caribbean comprising a mere 100 square miles that are home to us and have been home to generations of Caymanians for well over 300 years.

Madam Speaker, I come to this debate not just as the Third Elected Member for George Town, the Premier of these Islands, but as a Caymanian first and foremost, one whose roots are buried deep in the soil of this rock, and whose generations of forbearers' bones lie in cemeteries from Bodden Town and East End. My great-great-great grandfather washed up on these shores in the early 1800s. And I say "washed up" because this was not his intended destination. He was shanghaied aboard a British shipping vessel in the Irish port of Youghal in County Cork. The ship ran aground off the coast of Cuba and he was rescued by a Cayman schooner. We are not sure when, but somewhere around 1810 is when John Patrick McLaughlin, the first, arrived here.

So no one coming to this debate can claim more about being Caymanian and understanding what that means than me. And that is leaving aside (because I just don't know) my mother was a double Bodden. One "Bowden" was one of the very first settlers of these Islands. But I can't trace that ancestral line the way I can on my father's side, because my grandfather, William Allen, was one who paid attention to these things and taught us (me in particular) the

line which I can recite from memory all the way back to the first McLaughlin.

When John Patrick settled here, Madam Speaker, it was not initially by choice. There was little or nothing here. If you wished to get married to the wife or the widow of the captain of the ship who had perished, there was nowhere here they could marry. So he got in another Cayman schooner and went to Jamaica, to Lucea, and there they were married. All of that has been very understandable to me all of my years. But what I can never understand is why they came back to what was then a mosquito-ridden backwater with little, in terms of opportunity, for anything. But he did. And they settled. And he was ambitious, as were his sons and their sons.

Over the course of the generations the family acquired substantial landholdings. To my misfortune they were all in East End. Had I even gotten a couple of acres down West Bay Road, I might be all right now. But, Madam Speaker, when my great-grandfather, Gilbert Magdaly, called upon his sons in his latter days and said, "Come my boys, I want to show you my landmarks because one of these days I may die." He was then in possession of hundreds of acres of land in the eastern districts. I say "districts" because any of us who really know the East End inner land know that if you go far enough north you wind up in North Side.

I say all of that, Madam Speaker, to set the context for my particular perspective. I come to this debate not as some tree-hugging conservationist, or as one who has recently reached these shores and can perhaps be accused of not having understanding and appreciation of the historical context of landholding and the importance of land to the people of these Islands. My grandfather, the late William Allen McLaughlin, who also was a representative first in the Vestry and then in the new Legislative Assembly, who had the honour of being a member of the first Executive Council under the 1959 Constitution, also practiced law. And in the controversy of the cadastral days, those of us who are old enough will understand what that actually meant. He practiced for years arguing these cases before the cadastral tribunals about where lines went and whose land was what, what they could claim, what they shouldn't claim. He was also part of the battles that the Honourable Deputy Speaker related about what land government was entitled to, because they had a view that the land in the eastern districts was to be treated differently than the land, as he said, west of Prospect. And that all swampland in the eastern districts was supposed to be government's.

Madam Speaker, I grew up in that time. I grew up trailing land. A lot of people do not even understand what that means now. But that was cutting the boundary lines between properties so that the cadastral people could go in and do the surveys. That is how I grew up. Madam Speaker, I often smile be-

cause there is a side of me which most people who did not know me when I was a youngster are completely unaware of. And many have the perception that somehow I had quite a different upbringing than I did, even some who formally graced these hallowed Chambers. But, Madam Speaker, from the time I could walk well enough not to fall down every two steps my father had me, as my mother says, up in the bush.

I grew up in the East End bush. I grew up farming, raising cattle and working ground. And, Madam Speaker, I am talking the East End land before there was anything called “John McLean Drive” let alone the “Farm Road.” I am talking about the days when you had to walk everywhere you went. At 14 years old, Madam Speaker, I walked cows from Mount Cabbage, North Side Road (Frank Sound Road, they call it these days), where the old people used to call “Sensation Hill” and they called it that because if the cars went over it fast enough between the two hills you got a sensation in your stomach. That’s why we called it sensation.

Walking cows from there to East End, tying them out on the bay, because the walk was all marl road. There was no paved road. We’d tie them out on the bay. On my grandfather’s land where Mr. Bertram Conolly’s barber shop. Get up the next morning, daddy carried me back there and I walked them from there to big Winter’s Land. And anybody who thinks that that was a short walk, or over easy terrain, doesn’t really know East End land.

I say all of that, Madam Speaker, not to talk really about my history in any sense, but to say that such wealth as my family has, and it’s not much, such wealth as my father has left to give to any of us when he does pass on . . . that is, if I don’t go before him, because my family has a tradition of living a long time. My great-grandmother made almost 102 and my grandfather 95. Daddy is 87 and still driving. So you really do not inherit land in my family until you are very old, if you live to be very old.

[Laughter]

The Premier, Hon. Alden McLaughlin: I say all of that, Madam Speaker, to make a light moment, but to also say that when I come to consider the provisions of a Bill like this National Conservation Bill, it is through that particular prism. Do not believe that if I thought for one moment that what we were proposing was going to sterilise and render valueless the land of anyone in Cayman, but particularly the land in the eastern districts—which has been in my family for six generations now . . . if I thought for a moment that would be the case, you can believe that I would have great concerns and that I certainly would not be here as the Leader of the Government standing up not just supporting, but actually being part of the team that is proposing, this legislation for the country.

I have also said to others, without wishing to boast, that this Government has five lawyers on its team. And the chairman of our party, Mr. Duckworth, who attends caucus also, has one or two legal qualifications. We have thought long and hard about the provisions of this Bill. And that is not to say, Madam Speaker, that we have gotten it all right or that it is perfect. We are even until this moment considering possible amendments. And our perspective in this regard has been aided by submissions and suggestions made by many people.

Madam Speaker, in my view there is only one set of proposals or suggestions coming from one particular lobby that I regard as completely and totally disingenuous, that I regard as completely without any basis and as being wholly irresponsible. For anyone to suggest that Cayman does not need a National Conservation Law of any kind and that all property in Cayman ought to be free to be developed in the manner in which the owner wishes is absolutely ludicrous. I am not going to dignify what has been written in certain pages with any more than that, for I do not believe it warrants any detailed response. All right-thinking people, and most people in this country, are absolutely astounded at what has been said, and what continues to be said, from that particular quarter. And, indeed, the credibility of the publication itself has plummeted as a result of what can only be regarded as irresponsible behaviour.

So I am not going to spend the time of this House boring Members and anyone else who may be listening to my contribution today with any further consideration of what has been said by that particular quarter. But, Madam Speaker, what I have come to appreciate in life is that the more things change the more they stay the same. Pope John Paul II said, **“The earth will not continue to offer its harvest except with faithful stewardship. We cannot say we love the land and then take steps to destroy it for use by future generations.”**

The late former President of the United States, Theodore Roosevelt, put it this way, **“The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired in value.”** Conservation means development as much as it does protection.

Madam Speaker, perhaps you need to reach a certain age (and for all of us that is probably a different point, but I reached it quite a few years ago) when you realise that you are mortal. For when we are young, at least when I was young I thought that I was bullet-proof, that I would be around forever, that old age and sickness was something that happened to other people. But as we mature the certainty of our demise becomes much clearer, much more inevitable. It has always been inevitable; we realise its inevitability.

So, Madam Speaker, my view about everything has altered more and more as I progress down life's path. I am 52 years old. And even if I live to be as old as great-granny Achy, Rachel Elizabeth, even if I live to be as old as she did, I have lived more than half of my life. And she was just short of her 102nd birthday. I have come to realise that we all came here and found this land and we are all going to go and leave it. I don't care how acquisitive we are, I don't care how much we love it, I don't care how much we feel good because we want all of these tracks of land, we are all going to go and leave it. It has been here from morning, it has watched—those trees, those rocks—generations of us come and go. And long before this place was peopled those rocks, that red marl, those mahogany trees were there.

The point I am seeking to make, Madam Speaker, is that we are but mere trustees, custodians. And we ought to be guardians of what is here. It is not for us to exploit the earth and all that is in it to a point where there is nothing left for future generations. Of course, we all must live. We all want to live well, we want to use what God has given to the earth to make life better for us and for generations to come. That's fine. It is when we cross the line to exploitation. It is when we use what the earth provides without any regard for the future, when what we do is completely unsustainable, when what we do results in the extinction of species of flora and fauna, it is when what we do degrades the quality of life for future generations that we get it all wrong. And I am sad to say that although in many ways I fully understand and appreciate why it happened, I am afraid that we have made huge mistakes in these Islands, principally in Grand Cayman over the course of the last 40 years in particular.

But I understand in many ways why what happened did happen, because at my age I belong to what I like to call the bridge generation, that generation of Caymanians who have lived in both the old Cayman and the modern Cayman, that generation of Caymanians who for the first time had the benefit of access to higher education. Those who are even 10 years younger than I am do not appreciate, cannot appreciate in the way that I can, the privations of life in these Islands in the 60s. When I was born the population of these Islands was not even 8,500 people. It is now 58,000 to 60,000 people. I am not sure we know; it's somewhere around there.

Madam Speaker, those were very, very different times. And do you know what? I give God thanks all the time that I was born in those times, because it has given me an appreciation and a glimpse of what life was like for my father's generation, even though by the 60s things had improved significantly. But I still did the things I spoke about because it was a way of life.

But, Madam Speaker, because things had been so hard for so long, when development and the opportunity for development came, as a people we

made lots of mistakes because we took the view that all development was good, it didn't matter. The land on the West Bay beach, in particular Seven Mile Beach, which previous generations had considered completely worthless and valueless because you couldn't grow anything on it, and nobody in their right mind was going to build anything on it because the hurricane is going to come and destroy it, suddenly became extremely valuable. Quite how valuable, most Caymanians didn't understand, and so we gave it away for a few guineas.

Madam Speaker, I do, however, have significant appreciation, and even forgiveness, for the generation before us who didn't know what else they could or should do because Cayman had struggled at subsistence level for 300-plus years. What is unforgiveable, and what should be unpardonable for those who come to judge us (when our turn [comes]), is that we continue to make the same mistakes now when Cayman has long passed its subsistence existence.

Madam Speaker, I heard the honourable Members for East End and North Side talk about what good stewards we have been in the eastern districts. Madam Speaker, there is another perspective. As I say, it is justifiable because when you are in a subsistence mode you do whatever you have to do to subsist. But Cayman's history of stewardship as a country is not good. One who studies history will know that there was a time when these seas around the Cayman Islands teemed with turtles. By the time any of us knew anything about it, and our parents knew anything about it and our grandparents knew anything about it, to get turtle in any quantity you had to go to Mosquito Key.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: I know, because we had so exploited the turtle that were in the immediate area that they were gone.

Those who study the history in relation to fauna in these Islands will understand that the reason why that area was called "Savannah" was not just because it was a nice flat grassland, but it was also home to huge mahogany forests. We cut them all down and shipped them to the United States. Now you are hard pressed to find a mahogany tree in that area. Madam Speaker, we can and should forgive those generations because they did it to survive. But Cayman is long past that point. We are no longer a subsistence people.

We in this House today have an opportunity to ensure that whatever has been done in the past, whatever mistakes we have made, we will ensure that going forward care and thought is taken when it comes to future developments, that developments are environmentally friendly, that they take into account the consequences attendant with the development,

and that they are sympathetic to the natural environment, to the flora and to the fauna.

Madam Speaker, I said at the start that I had come to the realisation years ago that the more things change the more they stay the same. As I thought about what I would say in my contribution it occurred to me to look at what was said when, for the first time, we introduced marine parks. We passed a Marine Conservation Law in 1978. It was passed by what was then called the Unity Team Government, of which my dear departed uncle, Haig Bodden, was an Executive Council member. In 1984 the Government changed. In came what was called the Dignity Team. Believe it or not, as young as he looks, the honourable Member for North Side was a member of that team. And in 1986, Madam Speaker, there was introduced in this House a Bill calling for significant amendment to the Marine Conservation Law of 1978 and which would have the effect of introducing marine parks.

Now, for those who may not have been around in those times, if you think this Bill is controversial, check that out! And, Madam Speaker, we had grown up in Cayman, and although I spend plenty time on land, I spend plenty time on sea too. We had grown up being able to take whatever we wanted from the sea, as much as we wanted. It was there in abundance. And so a marine park regime was being introduced which was going to limit where you could go, what you could take.

As I said, Madam Speaker, when I was born the population was about 8,300. I remember as a boy my uncle Carlyle had land (most of my uncles had land) in what we call Cottage. For those who don't know that, we call it Frank Sound now. But Cottage was a discrete part of Frank Sound, before you get to Half Moon Bay.

[Inaudible interjection]

SUSPENSION OF STANDING ORDER 10(2)

The Premier, Hon. Alden McLaughlin: Madam Speaker, if I could beg to move the suspension of Standing Order 10(2) to enable the House to continue proceedings beyond the hour of 4.30 pm.

The Speaker: Certainly.

I will recognise the Honourable Premier to move the suspension of Standing Order 10(2) to allow the business to go on until after the prescribed hour this afternoon.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I beg to move the suspension of Standing Order 10(2) in order that the business of this House may continue beyond the hour of interruption and continue until debate on this Bill has sufficiently progressed.

The Speaker: The question is that Standing Order 10(2) be suspended to allow the business of the House as it relates to the Second Reading debate of the National Conservation Bill to be concluded.

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: Please continue your debate, Honourable Premier.

[Second Reading debate on National Conservation Bill continuing]

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker. I am grateful to Members for at least not demurring in relation to this. I am particularly grateful to the Member for North Side.

Madam Speaker, I remember as a boy, 12, 14 years old, my father had a little catboat which had been made in Cayman Brac in 1968. We used to go out in that boat during low tides. There is a particular time in the year when tides can be very, very low. I remember seeing conch piled so high on top of each other, standing on the shore at Cottage looking out to the reef, that it looked like there was another reef between the land and what I knew to be the reef. I am not talking about some little small area, but going on for hundreds and hundreds of feet.

I remember, Madam Speaker, when . . . and the Member for East End will understand this too. I remember when you could not sell conch, whelk or lobster in the district of East End. They were considered bait! You sold fish. That is the time that we come from. But the population of Cayman was less than 8,500 people when I was born. By the time we got to 1986, when the marine park system was proposed by the late Sir Vassel Johnson, Cayman's population was just over 21,000 people. Visitors to Cayman were around 166,000 in 1986 (27 years ago).

Madam Speaker, that is the context in which the then Government (of which, as I said, the Member for North Side was a member) came to introduce the amendment to the Marine Conservation Law of 1978 to introduce the marine park system. And there was furor. Everybody was up in arms about it because they were not going to be able to get a few conchs any more, not be able to shoot lobster, can only fish in certain places. This was unheard of.

The late Honourable Captain Charles Kirkconnell, who was then a member of Executive Council, made the following contribution, Madam Speaker,

and I am quoting from the ¹Hansard of the House which has taken some effort to recover, because most of the Hansards here were damaged by Hurricane Ivan and these have had to be retrieved from the National Archives. But, Madam Speaker, something told me that what was said there would be instructive. And I am not going to read all of the contributions, but particularly this excerpt, with your permission, from what the late Honourable Captain Charles Kirkconnell said.

The Speaker: Please proceed.

The Premier, Hon. Alden McLaughlin: “Mr. President” (for in those times the Presiding Officer in the House was the Governor, who was referred to as the President, so that everybody understands)—

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: We’ve come far (you hear?). We’ve come far.

“Mr. President, the Bill before this House, a Bill for a Law to amend the Marine Conservation Law 1978, Law 19 of 1978, is a straightforward Bill which seeks to give the Governor additional power to make regulations which will ensure more protection for marine creatures, control methods of fishing in certain areas and prevent the taking of young marine creatures indiscriminately. As I have said it is a straightforward Bill and I support it without hesitation.

“Mr. President, if we brought the Holy Bible into this honourable House the opposition would try to condemn it.” (The more things change, the more they stay the same.)

“Mr. President, if we brought the Holy Bible into this honourable House the opposition would try to condemn it. Mr. President, it is about time that the Opposition accept their responsibilities and become constructive Opposition instead of being obstructive as they are today. The truth of the matter is that they did not have the courage or the guts to bring the Bill to this House because they feared getting an adverse reaction in November last year. However, Mr. President, time has shown that they might just as well have introduced it because holding it back sure didn’t help them.

“The need for marine parks in the Cayman Islands was established many years ago and we feel that the time of talking about them has long passed. And the positive action must be taken now while we still have something to preserve. Marine parks have been established by many countries all over the world in order to preserve, protect and control the underwater environment so that everyone will benefit.

“The records show that the Cayman Islands were known for their abundance of turtles which inhabited our Islands. No thought was ever given to preserving or protecting them and today we know the result. Turtles are almost extinct in our waters. Lobsters and conch are fast disappearing too, Mr. President, and it is our duty to make every effort to save them from the destructive and indiscriminate fishermen.

“In order to achieve our goals it is necessary to establish marine parks, create zones where fishing is prohibited and zones where line fishing is permitted. Replenishment zones will have to be established where no lobsters or conch may be taken for a period of years. There will also have to be an environmental zone where fishing or collection of marine life is prohibited.

“The Bill also aims at increasing the maximum penalties from breaking the law from \$500 and/or six months’ imprisonment, to a fine of \$5,000 and/or twelve months’ imprisonment. I consider this start as modest and we will need the cooperation and assistance of our people in order to make our efforts a success. Legislation without enforcement is useless and it is vital that our people be enlightened to the fact that all of us will be preserving some of the good things we now enjoy for our children and their children.” *[Official Hansard Report, 22 March 1985, pages 2-3]*

Madam Speaker, I am going to stop there. But it is most instructive. And I will be sure that copies of these Hansards, which are not readily available, be made so that all Members of this House can have the benefit of the insight, the wisdom and the erudition of these brave men who stood here 27-plus years ago and introduced the marine parks provision in our legislation. Had they not done so, Madam Speaker, there wouldn’t be one periwinkle or sea-suck that anyone else would know, let alone talking about conch and lobster. They just would not exist.

Madam Speaker, the Leader of the Opposition has sat quietly. I am not sure whether he is not going to contribute to this debate, or whether he is doing what he does well, stalk and wait and pounce at the end. But I have had the benefit of what he has said publicly in other fora. He held two public meetings; one on Monday night and one on Tuesday night. He even ventured into my district. And, Madam Speaker, he has made pronouncements on at least one radio station that I heard. Obviously what he has said has been carried by his newspaper . . . sorry, the *Compass*.

[Laughter]

Hon. W. McKeever Bush, Leader of the Opposition: It’s my newspaper, you must have owned before—

The Speaker: Order!

¹ *Official Hansard Report, 22 March 1985*, pages 2-3

Hon. W. McKeeva Bush, Leader of the Opposition: He had the present . . . the former Editor.

The Speaker: Order!

Hon. W. McKeeva Bush, Leader of the Opposition: So you must have owned it then.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I withdraw that remark, I was—

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

The Premier, Hon. Alden McLaughlin: It was wrong of me to say that. And I do apologise.

Hon. W. McKeeva Bush, Leader of the Opposition: By that measurement then, it must have been used in the past.

The Premier, Hon. Alden McLaughlin: And—

Hon. W. McKeeva Bush, Leader of the Opposition: According to your word of mouth now.

The Speaker: Order Members.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I was wrong, I do apologise.

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: Madam Speaker, I raise that not to provoke the Leader of the Opposition—

Some Hon. Members: Ooh!

[Laughter]

The Premier, Hon. Alden McLaughlin: No, Madam Speaker, seriously. Not to provoke him at all, but to say that although up to this point he has not made his position clear in this House, publicly he has said that he will not support this Bill. And what I wish to say about that is that that is entirely consistent with the position that the Leader of the Opposition has taken with respect to conservation ever since discussion on this issue began 27 years ago.

For, Madam Speaker, there were 13 Members of this House who voted with respect to the amendment in 198[5], on 22 March 198[5]. There were three Official Members, all of whom were bound by collective responsibility to vote with the Government. But among those three who voted against the introduction of the marine park legislation was none other than the now Leader of the Opposition.

Mr. V. Arden McLean: The other two?

The Premier, Hon. Alden McLaughlin: For the sake of completeness, the other two were my dear departed uncle, George Haig Bodden, and Mr. John Bonwell McLean.

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: For the sake of completeness, those who voted in favour were:

²Hon. Dennis Foster (of blessed memory)
 Hon. Michael Bradley (of blessed memory)
 Hon. Thomas Jefferson (of blessed memory)
 Hon. Capt. Charles Kirkconnell (of blessed memory)
 Hon. Vassel Johnson (of blessed memory)
 Hon. Capt. Mabry Kirkconnell (of blessed memory)
 Hon. Benson Ebanks
 Hon. Norman Bodden
 Mr. Linford Pierson
 Mr. D. Ezzard Miller

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: And so, Madam Speaker—

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, would the Member lay that report on the Table?

The Premier, Hon. Alden McLaughlin: Madam Speaker, this is not a report; this is a copy of the [Official] Hansard [Report] which I have undertaken to make available to every Member.

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: Madam Speaker, 27 years ago 10 men stood up for this country. Ten men stood up for this country and said, *We want to ensure that there is something left of the things that Caymanians hold dear; things that make us who we are.* They had vision, they had foresight, they had courage, they had tenacity, and they were prepared to take whatever political licks went along with doing the right thing.

Madam Speaker, I did not see this until yesterday. In fact, the thought never struck me until the day before yesterday that I should look at what had occurred in this House when the marine parks legislation was introduced. But, Madam Speaker, I am encouraged. Indeed, I am inspired by the stance those men took that day, and I am proud of the fact that I am part, in fact I am privileged and honoured to lead a

² Division No. 15/1985. *Official Hansard Report*, 22 March 1985, page 11

Government that has a Minister with that kind of courage and that we have, together, a team to a man and woman, all of whom believe sufficiently in this particular cause to support this legislation despite the brick bats that have been thrown at us over the course of the past six weeks or so.

Madam Speaker, what is being proposed by the Minister of the Environment, what is being supported by this Government is the right thing for Cayman. All sorts of scaremongering tactics have been adopted. I am even prepared to say that some Members—including the Members for East End and North Side—are misled, although well meaning. Misguided perhaps, Madam Speaker. But, Madam Speaker, in the end I do hope that the Member for North Side, in particular, will do as he did 27 years ago and stand up for what is right for Cayman.

Madam Speaker, the Minister of the Environment has made a very, very comprehensive presentation—not just in this House, but he has been to every single district. The Bill before this House in one iteration or another has had the support of successive Governments, including the Government last led by the now Leader of the Opposition. It has gone through I don't know how many amendments. It has been the subject of public debate and public consultation—at least two rounds of such consultation. And, Madam Speaker, it is nothing short of disingenuous for anyone to suggest that this is being rushed, that it isn't being considered. Madam Speaker, 10 years . . . how long does it take to hatch this particular egg?

Madam Speaker, the concepts introduced by this Bill and the need for it cannot possibly be unfamiliar to anyone, and certainly not to the Members of this House. All . . . well, I shouldn't say all. Four of the five Members in Opposition have been here for extended periods of time. They have . . . Madam Speaker, it seems that the Member for North Side is objecting to me saying he's a member of the Opposition. I would be delighted to have him over here!

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: We would struggle for seats, but we would have him over here. If he's not in the Opposition I would be delighted to know that. I would be delighted!

[Inaudible interjections]

The Premier, Hon. Alden McLaughlin: Madam Speaker, the Progressives and the Independent Members of Government campaigned on passing the National Conservation Law and this plank of our Manifesto, and certainly the platform of the Independent Members, clearly resonated with the public. If that was not the case, there would not be 12 of us on this side, plus yourself in the Chair, Madam Speaker. It would be the other way around. So we not only have the

support of the general public in, we believe, the vast majority, but we also have a mandate from the people to pass a National Conservation Law. And after more than 10 years of talking about this Bill, we finally are going to do something about it.

Madam Speaker, the country has endured enough talk and promise and threat with no results. Whatever this Administration may be accused of they will not accuse us of not getting things done. I would rather get beaten. I'd rather even get voted out for things that we have done, then for things we did not do that we ought to have done.

Madam Speaker, the Minister of the Environment did an excellent job of establishing the need for this legislation. And I am not going to try to repeat his contribution on the imperatives contained in the preambles of the Constitution, section 18 of the Bill of Rights, the Environment Charter, the obligations contained in the various multilateral environment agreements and the deficiencies in our current legal framework. But I would rather focus instead on the results of a [Report on Environmental Governance in the UK Overseas Territories](#) which was published by the Royal Society for the Protection of Birds, in March of this year.

The report evaluated each of the Overseas Territories in four areas: 1) Mechanisms for protecting species; 2) Mechanisms for protecting sites and habitats; 3) Mechanisms for ensuring environmentally sensitive developments; and 4) Mechanisms to ensure that local communities can engage in development processes.

Madam Speaker, for Members of this House who may not have seen that report the results for Cayman are pretty embarrassing. Only the Cayman Islands and one other territory, a little territory called Pitcairn out in the Atlantic, scored weak in each of the four assessed areas. Moreover, the report used Cayman as a case study and highlighted the fact that the passage of the National Conservation Law, this particular Bill, would (quote) “**remedy many of the more significant gaps in Cayman's environmental governance . . .**”

Madam Speaker, some of the cynics among us will say, *Well, why should we care a lot about what some UK NGO (non-governmental organisation) says about such things?* Madam Speaker, my view is not only should we care about these reports, but we need to spend the time to understand their significance and how it will impact Cayman.

Madam Speaker, the Royal Society for the Protection of Birds has over a million members worldwide. Many of them, and many other environmentally conscious tourists travel to destinations such as the Cayman Islands to enjoy our spectacular natural environment which we take for granted. Increasingly visitors to our shores are concerned about their footprint on destinations' fragile environments such as ours, and want to be reassured that there are robust envi-

ronmental protections measures in place to manage and mitigate their impact on the destination.

The way that we protect and manage our environment, therefore, has a direct effect on whether an increasingly large population of environmentally aware travelers will continue to choose the Cayman Islands over other destinations. And that is a point that needs to be pondered and not dismissed.

Those who shout from their platforms that this is going to destroy development, that this is going to destroy the economy of Cayman, do not seem to understand that people don't come to Cayman just because it's a rock in the Caribbean sea. They come because they find this place attractive for a whole range of reasons, not least of which is our flora, our fauna, our biodiversity. If this place turns into little more than a concrete jungle, we better make sure that we have some real hardcore industries chugging along, because you can believe we won't be the choice of people who want to come to a destination to enjoy themselves—to go to the beach, to sample the joys of the natural environment. Increasingly, as the developed world becomes more responsible and aware of the impact of humans on our natural environment, when they make decisions about where they travel, where they do business, they bear those things in mind.

Madam Speaker, there has also been a lot of discussion about the possible negative economic impacts of this legislation in terms of the potential of the Bill to slow down development and affect the ability of landowners to “extract the economic value of their land,” as the Member for North Side has put it. Madam Speaker, I wish in particular for the Members of North Side and East End, whom, I believe, are well meaning, to appreciate this. Developers want clarity, fairness and certainty in the development approval process. And many are put off and frustrated by the lack of a clear and unambiguous regulatory process.

This Government believes that the environmental impact assessment provisions in this Bill will help with this by providing guidelines on the types of projects and the locations of projects that will likely trigger the need for an environmental impact assessment and then specify the process that will need to be followed by everyone so that there is consistency, predictability built into the process both of which are currently missing.

Madam Speaker, I want to address the scaremongering about the negative impacts of this Bill, unfortunately some of which has been preached in this House by the Members from the eastern districts. And that is about what this is going to do to our own people's ability to deal with their land. First, this Bill does not allow the Government to take anyone's land without their explicit consent. I spent some time at the beginning to talk about where I come from. And I say again, those few acres of land that my father has in the eastern districts, if I believe for one moment that

Government, however well meaning, could come and seize those, I promise every person in this country that provision in the Bill would not see the light of day—not in this House, not while I'm leader.

Madam Speaker, the Bill requires that the landowner be consulted before any proposals for protected areas are advanced. And we will be bringing an amendment to make it abundantly clear that if the landowner does not wish to sell his land to Government for conservation purposes the process stops there. I will repeat that, Madam Speaker, because this is something that as recently as this morning I received a text from a significant Caymanian landowner who is still concerned about this.

The Bill does not allow the Government to take anyone's land without their explicit consent. It requires that the landowner is consulted before any proposals for protected areas are advanced and we will be bringing an amendment to make it abundantly clear that if the landowner does not wish to sell his land to the Government for conservation purposes the process stops there.

Madam Speaker, the second issue is about the National Conservation Council which has been alleged by some as being all powerful. This Bill preserves the role of the Cabinet, and the Council will function in a technical and scientific capacity providing advice to other government agencies and entities on habitat and species conservation and environmental management issues. It is predominately an advisory body. We will be going further, but I do not wish to steal the thunder of the Minister responsible. But to say at this stage that we will address the concerns about lack of explicit district representation on the Council.

Madam Speaker, as far as the Council is concerned, the only point at which it has been given any decision-making authority is in respect of the issuing of licenses and permits in a similar way to that accorded the Marine Conservation Board, and in matters relating to the protected areas which have been designated by Cabinet and critical habitat which has been defined in conservation plans approved by Cabinet. And all decisions of the Council are appealable to Cabinet.

The third point I wish to stress is that [clause] 41, which outlines the duty of all government entities and agencies to consult with the Council before taking any actions, approving any plans, or making any decisions which would negatively impact the environment, is not intended to impede development. This is the point at which consideration of the environmental consequences of our actions is injected into our decision-making processes. Not in any way which allows environmental concerns to trump all other considerations but in a way that requires that they be considered equally alongside other issues.

Madam Speaker, this is a basic principle of sustainable development, and one which we must

embrace seriously if we expect to have a country with not just a healthy environment but also a healthy economy and society in the future. There is a growing body of evidence in other countries that suggests that property values adjacent to green spaces and protected areas actually experience a significant increase in value between 6 per cent and 23 per cent in some places in the US.

Madam Speaker, in focusing so much on the land rights aspects of the Bill I would suggest that many of the detractors are missing the bigger picture as there are many compelling reasons to support this Bill. I have just outlined some of the economic reasons and benefits. But as my colleague, the Minister of Environment, said yesterday, we have a duty to manage and protect our unique habitats and species not only for ourselves, but also, and perhaps more important, for the future. Our children have a right to inherit a country which has not been diminished in its potential and which has a healthy functioning natural environment that will help to ensure their prosperity and their quality of life.

Madam Speaker, I have two sons [age] 21 and 18. And I cannot say that I have actually spent a great deal of time talking to them about ecology and the importance of all of these things. Perhaps it is just the way I live and what I say and do. But I also believe that their views are the views of their generation generally because one thing that gives my heart comfort is that the generation that comes after us is really concerned about preserving what is Cayman. They care deeply about these things. And I don't know about the rest of you on the other side (I know about the ones on this side), but I can't go home and look my sons in the eye (and my elder one won't be here until Saturday, but he's following this debate) and tell them that we had the opportunity to put in place legislation, a framework which would not stop development in Cayman, which would not take away their economic opportunities, but which would require that development in this country be conducted in an environmentally sensitive and sympathetic manner. We do care enough as the generation that is currently the trustee to take the necessary steps so that Cayman as we know it, as they know it, will be around for generations to come.

Madam Speaker, I am more convinced now than ever I was that the time to pass this Bill is now. If we fail to take action, in the words of Seneca, "**Our posterity will wonder about our ignorance of things so plain.**"

Thank you, Madam Speaker.

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

I recognise the honourable Leader of the Opposition.

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, having made my points on this proposed legislation I (and my colleagues on this side) was not prepared to speak on this matter. But the truth is that the Bill is practically unintelligible at this point. I do consider that the Member for East End and the Member for North Side expounded well. I listened to the Minister, I listened to them. I listened to some who spoke on that side, even to those who wanted to impute improper things to those of us who have misgivings about this legislation. I can tell them something. They just came here; and because you won an election you [should] not think that people don't know you. So don't fire your guns when you don't know what you are pointing at.

Madam Speaker, I had prepared to sit down, listen and wait until I saw what the amendments . . . because the fact is we now have a 72 page Bill, 52 clauses, 4 Schedules, and there are some 40 amendments proposed by the Minister, plus another 2 by the honourable Attorney General, and over 32 more amendments proposed by the Member for North Side and the Member for East End. The Bill is practically unintelligible. I don't really know, Madam Speaker, all that it proposes. I have to wait to see. And that's what I was prepared to do.

However, Madam Speaker, the Premier (he likes to call himself) . . . I don't know what "Pre" he is, but I can tell you this, Madam Speaker, he can't get up in this House unless he has something derogative in his pomposity to talk about [regarding] this Leader of the Opposition. I have made my points known. I am not going to be an Opposition such as I had to deal with, such as the Premier was. No. This country doesn't need that. We cannot afford it, and besides that, Madam Speaker, I am not 24 or 28 anymore; I am 58. I have been here long enough. And I have sat in that gallery, when I was not a Member, long enough to learn. I sat in that town hall long enough to have learned the issues.

I am really never amazed at how the Premier throughout his time in this honourable House continues to tell half the story. And he can do that with his colleagues because they weren't around and they don't know. And of course, once it's McKeever Bush, they are going to take his side. When he gets up here, Madam Speaker, to talk about me always being (he said) against conservation, Madam Speaker, I well recall that some of the people that he mentioned who were for the marine parks legislation in 1978 when the Unity Team produced the marine park legislation that brought the regulations, the marine law, the marine legislation when it was introduced, that some of those same ones who were in Opposition and who were my colleagues were against it until they took over and then they brought legislation.

But that's his modus operandi, Madam Speaker. You know that he criticised me. The same Premier criticised me for legislation that I brought

when he was in Opposition. Do you know that? Of course. But, as I said, I am never amazed at his tactics.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: More than that. Well, that was part of it. Yes, yes, that's good.

Madam Speaker, in 1985 I rose, and the Hansard shows that I supported (and this I quote), "Mr. President, marine conservation has been a controversial subject in this country for a long time. Each time it has been brought up a great hullabaloo has been raised by a small minority which has no real responsibility to the country as a whole. However, we in this honourable House do have responsibility to the country, and however difficult it may be we must deal with the problem because, in my opinion, it is reaching crisis proportions." [UNVERIFIED QUOTE] And on, and on I went in support of the marine conservation.

Madam Speaker, what I had to oppose in the marine park setup was that they were taking every area and making it a non-fishing area. That was the first legislation we received. And I think the Member for North Side would agree that that's what it was. In fact, the Premier himself just said how controversial it was. It was so controversial because it contained so much controversy. You couldn't go on the Seven Mile Beach in any of the traditional fishing grounds. And he talked about how he grew up. Well, I like to say this too, you know, because I know history well in this little Island called Cayman. I like to say that my grandparents made it across the Atlantic too. Uh-huh. Yes. He was Negro, but he made it across, hear? Check and see who the slave owners were in this country.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Uh-huh.

And I am going to say this further, Madam Speaker, that he was smart enough to have become a good landowner in West Bay. He died at the age of 59, but left good landholdings. But it was stolen for a sack of groceries! Not to my grandmother. She was too smart; to other people who hornswoggled it by some of the same masters in this town you call George Town. A lot of them were good at moving fence posts late at night. A lot of them stood in the pulpit and read that Scripture to the poor people, *Lay you not up treasures . . .* something about in heaven, and when he got outside and shook their hand he said, *Listen, you know that little piece of land you got down there, that ain't no good to you; I want you to sell that to me.* And he got it for nothing! Hear what I tell you.

I am 58, and I read history. I know. I talk to the older people. My great-grandfather lived until he was

106! And my great-grandmother lived until she was 107! My aunt to 102. My mother, 99, and one just died, 95. So I listen. I know how long we have been here. I know that my great-great-grandfather came out of Westmoreland, went to Cuba, came here. One stayed here and one went down to the Bay Islands. Two brothers. But I love to say, *Yeah boy, that old man made it across the Atlantic.* He made it across the Atlantic.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Yes. I don't have enough time this afternoon, because I could really give you a history on the hypocrisy that abides in this country. Sometimes it does nettle you when you stop and think what was done in this country.

And what I am concerned about conservation is those that go and live in the tump-tump [SOUNDS LIKE] land, those that knock down the tree to make good houses. Now that they have the good houses and they live on this shore and that shore, they don't want anybody else to do it now. It's bad! Now that they have made their money. That's the thing that galls me. Not the part about preserving. And I will come to that, because I will challenge the Premier, or anyone he has over there, to say that they brought more legislation that was for conservation than this man you see standing here. The trouble is, I don't get up every minute and talk about it. Not even in election campaigns. But I can tell you some of it, and what I did.

Oh you can hear a little bit this afternoon. So hold your pants!

[Laughter]

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, he has a happy knack of trying to chastise me every time he gets up. You see, I know what's happening with him. Remember this: He did not win a majority of seats in this country. Oh! So he has to depend on the coalition. He has to take his spite out on somebody. He is not going to take it out on any of them. Not one of them. I would love to be in that caucus sometimes because I know he's got some chatty ones to deal with!

[Laughter]

Hon. W. McKeeva Bush, Leader of the Opposition: And I put it mildly, when I say "chatty."

He has to find somebody to vent his frustration out. And he believes that because I lost the election he won it.

You only won with nine! You hear? And you wouldn't be there unless you're palsy-walsy with those who you said you wouldn't be palsy-walsy with. You

dance with them . . . in fact, you not only danced with them, they must have taken you home too!

[Laughter]

Hon. W. McKeever Bush, Leader of the Opposition: And then he still had the audacity to criticise me about any strategy.

Anyway, Madam Speaker, that's the politics. You see? That's the politics. But remember this: I never just came elected this time. I have been here a long time. You see? And I know the history. I know not just the history of this House for the last 40 years, but I do know the history of this country too.

Madam Speaker, as I said, I was not prepared to speak because the Minister went . . . I don't know, I think he must have taken close to his two hours. And the Member for North Side and the Member for East End put their positions forward. I repeat that we wanted to wait to see what the amendments were going to be, how it was going to turn out. Really, in fact, I say this: I would prefer to see this go to a select committee and bring it back as soon as possible so that we can understand real good in a different setting what all these amendments are going to do.

I don't know that the Government would be disposed to that idea, but I certainly feel that having . . . and I just saw another set of amendments come in. This is very clear, though. This is very clear. So that's what, 40 something? Forty-three or 44 by the Government.

No, we beat you into submission!

And I will say this, Madam Speaker. If we had succeeded in the Marine Conservation Bill, it would have been a better Bill too. But some hard positions had been taken, so we couldn't get any further with it. And I swore that the small boy or man who had a 14 foot boat had to be able to go out fishing. But at that time they were telling you that you had to go in 80 feet of water to fish. That's what they were telling us. And they wouldn't shift it. They gave us one space for fishing in the whole West Bay peninsula—the whole area. They had to leave it for diving, they said. And who did more destruction than some of them?

That's not hearsay, you know. We witnessed some of that. They had tanks and went down with baskets. They filled up, took the conch, took the lobster in the night! We know. We would put a spotlight on them when they came on the iron shore. That was protection for them. So don't come talk to me about I am against conservation. No. I have nieces, nephews, I have two grandchildren, two grandsons, they love to fish. And a granddaughter. And she listens too. She's only 13, but she listens.

So, Madam Speaker, here is what I see. There are far too many people who forgot just how far we have come and how we got here. All of a sudden they are saying that Cayman is so bad off in conserving our environment. Oh yes. Oh yes. We had millions

they said (according to Columbus) of turtles. But does anyone believe that what obtained in 1503 (or whatever time it was) ought to obtain today? How would you have been able to live, Mr. Member for George Town? (The one who talks about we should look at the Paraguayan Indians.) How in the world would you live on Seven Mile Beach? How?

How would any one of them, where the Minister of Finance lives, right down here with some of the best Naseberry trees you want to find, Mr. Minister, and some of the biggest Almond trees you want to find, and some of the biggest Eucalyptus trees, Head of Bay. (Well, in West Bay they call it Head of Bay.) But the fact is the map reads, Head of Bay, right opposite the Treasure Island, that whole area there. Wild yams. Look at some of the homes there today. Don't tell me you're not happy. You have to be happy, living in air conditioning! You think that would have existed? No!

What we have to accept is that for us to get where we are we had to give up something. So let's not talk about the fact that we had millions of green turtles around here. Could never exist today.

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: Conch? I remember when we would find them up drying. They were plentiful.

But this country couldn't be where it is unless we progressed, unless we gave up something. And that's what it's all about. And there are those who just don't know how we came to enjoy the highest standard of living in this part of the world. Then there are those who believe that no one could develop anything here besides what they are doing. It should only be dive shops, you know. And they are my friends, and I helped them as Minister of Tourism, but according to them they must be the only ones able to go out and dive out there. We mustn't trespass out there.

You know what one told the late Mr. Ronald Martin [PHONETIC]? *You can't anchor here! That's my buoy.* He said, *I'm sorry; but this is my ocean!*

[Laughter]

Hon. W. McKeever Bush, Leader of the Opposition: They look to control. And they don't believe that any . . . I am not just talking about divers now. I'm talking there are people in general. It can move from that industry to construction. A good analogy, Madam Speaker, I use it a lot. They don't want anybody to get status, but give my friend. They don't like their neighbor, but they want to borrow his bicycle. That's a good analogy. Mm-hmm.

Too many people in this country, too many, want it all. And I keep saying that. They want it all, but they don't want anyone else to get anything. If a shil-

ling is made here in George Town, some of them want two and six out of it. They know who they are.

[Inaudible interjection]

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

What we have here, Madam Speaker, we just didn't happen so. It didn't happen per chance. No!

If we remember, Madam Speaker, there was very little prospect for the vast majority of us to get anywhere in life, not even a good education, because the would-be masters of the day held that up too. I wanted to be a lawyer. I wanted to be a teacher. One of the two things. Couldn't get it. Couldn't get any scholarship Bobo. You know who were getting them, Madam Speaker? You know some of this history in this country. You know. You lived in Cayman Brac. You were born in Cayman Brac. You know who the masters were and what they did.

[Inaudible interjection]

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

And so, when it comes to talking about the degradation of the environment, there are those who saw the benefits that good development could bring. But to get people of worth here, people with money, there had to be a welcoming spirit towards them—not only towards them, but towards their investment. So, in spite of all that has been said about how far gone we are there were some good things done; some of the right things done. Yes, there were some mistakes made, or a lack of better judgment in some instances. But the cold facts are that we allowed our Islands to move forward, and they moved forward with very little red tape.

That's the big problem in this country today. And that's one thing that I am going to continue—call it a tirade, call it whatever—I am going to continue against it because it is growing, growing, growing, and you are going to need a lawyer. I am going to ask the Honourable Attorney General soon that he write out so that we know that we are doing the right thing when we want to go to the bathroom, because the red tape is continuously getting longer and longer while Mr. Cameron is saying up there . . . and don't talk about they don't have their problems. We remember what they went through in the great times of development. We know what the UK went through. Some things were good; maybe not all, but certainly for good. Now he's saying cut out 1,000 pages out of their Planning rules—1,000 pages out of their Planning rules—so that entrepreneurs, foreign and local, can make it better in the UK.

But listen to what they want to tell us, how much they want us to do. We, the people here, our forefathers recognised that the company that had the wherewithal to develop a hotel or a condo or some other development could easily spend their money in the same country they made it in. Do you think we

were the only girl at the ball? Do you think we are the only ones who have white sand? We never had any rivers, we never had any mountains. So what was it? Green environment? It is still . . .

I am amazed that people can say how degraded the environment is. Yet you can fly 3,000 feet coming in and you can see clear to the bottom, close to the shore, clear, crystal waters! How degraded are we? Where? Because we had to remove some swamp? As far as I am concerned you could remove more of it. Do you know what the percentage of swamp is in this country? Has anybody taken any tests recently of what the spraying for mosquitoes has done? Has anybody? They will tell you, *No. Not any trouble; that's good for you. Take it all in.*

Does anybody know what fumes are coming out of that dump? I know this: I know the leaching is going out into the North Sound because that's black as night right around the perimeter there. Yes! Those are the things we must pay attention to.

Minister, you are the Minister. You might not agree, but that's all right. I don't think that we are all that bad off as it has been made out. There are things that we need to do, yes, things that we need to protect. That's why I don't let anyone tell me that the Department of Environment, as tough as I know they can be, hasn't done some good. No, no, no, no. I say that all the time.

So, how could we have had the standard of living that we have if we didn't allow or give up something? The money could have stayed in those countries with much larger populations and other offerings that enabled business to move forward and make profits. How in the world did some of you make your money? How? You worked. Yes, when you had an opportunity. Somebody gave you an opportunity. That's why. And I was part of that, since I've been here for 30-odd years.

We enabled business to move forward and make profits. But in those countries where the money resided, there were also huge amounts of bureaucracy of all kinds backed up by associations, think tanks, and others with all kinds of agendas and higher rates of taxation. We knew, and our forefathers knew, that those people knew that their money was not safe in those countries. And so, we took advantage of those negatives. It wasn't just the Bahamas going independent that made the people run. That's what people were saying. In 1966 the first laws were drafted and the boom in the financial services began.

We took advantage of those negatives and we opened our doors and all Caymanians benefitted—better education, better housing, better healthcare, good, safe water, and a relatively good infrastructure. No, we don't have millions and millions of green turtles. No, we don't; didn't expect to keep them. Alligators are not here now either, thank God. What killed them? Progress? We had them. All and sundry had some opportunity, some more than others, but never-

theless Cayman moved forward with very, very, very little bureaucracy. We benefitted. How do you think we could spend \$106 million on our own school in North Side? I don't know. I know that we could not have done it unless we changed to make money. That's what I am saying. How did we manage it? We managed it with very little bureaucracy.

When we started to allow the world to dictate to us, though, and allowed and followed every whim and fancy of theirs to make regulations (for some of them), and we allowed them to make regulations for us—and those regulations, we know, did not help them—we started to go the other way. We forgot what the developer had left his country for. That's what I am saying. We are now starting to put more and more pressure on the foreign investor thinking that will enhance the local investor. Oh yeah? But those blinded by foolish ideas forget that local investors can't invest if there is no money, if there is no economy, if there are no people here to rent, to purchase homes or buy cars, or buy an apartment. So where would we make it from if we make it difficult for people? And that's all I am saying.

The Minister of Health talked about balance. That's what I sought in legislation that I put forward. Where would we be if we hadn't accepted that we had to give up something? Where? What would we have depended on, aid? Aid from whom? From the IMF? From the World Bank? From the UK? Ha, ha! We've never been grant aided. In the worst of our times—Hurricane Ivan—they gave us 150 wet horse blankets that they used, I guess, out in Siberia in the cold. That's what they gave us, and, I think, some dozens of water tablets. We would be no better off today if we had shut our doors and stayed grown up, no roads or anything, very little development or progress. We would be no better off than the darkest African country which depends on aid from those metropolitan countries. So I am not blinded by that.

Let us not forget, while they complain about Planning processes and so on, that Ivan showed us that we do have strong buildings here, for very few houses blew down. We lost some roofs, but very few houses blew down. Ivan showed us too that no matter how you say that the mangroves stopped the sea from coming in . . . oh yeah? The only thing that stops that mighty ocean is Almighty God. That's the only thing. When it is our time to get a licking, we get it. Let's pray that we never get one again.

We can always strengthen our building codes and improve our Planning. Oh, we can always do those sorts of things, even in an Island like ours with, I say, close to 50 per cent swamp! We can preserve. We must. That's the attitude I took about Barkers National Park in trying to get the land that was being purchased up by other people with money. You are talking about conserving. Ask him what he has done so far. I know what he has done.

So, yes, Madam Speaker, we can preserve, we can establish a national system of protected areas starting with the completion of the Barkers National Park where people enjoy it, and yet preserve sensibly. We can promote and support scientific research and monitoring programmes aimed at addressing issues relevant to the sustainable use and management of the natural environment and resources of our Islands. We can promote cross-sector consultation on development proposals within the government, department to department. But it must be fair consultation, you know. It cannot be directives; it must be fair consultation. We can encourage the use and development of green technologies and support renewable sources of energy. We need to do that. And, certainly, I do believe there have been many attempts or aspects of conducting and supporting environmental awareness and public education programmes.

So when we say that we haven't done anything and we get up here and cry these tears that the whole place is falling apart now . . . no! That is not so. I don't believe it. And I don't agree with it, Madam Speaker. I don't agree with them saying that. No! Given the very little space available in this country I think the law must be developed, at least with the understanding that we have a very cohesive fit and balance for Caymanians to be able to own homes and have the opportunity to own a business, as well as provide for the type of infrastructure that is needed to support a modern and expanding population. That balancing act must be placed in the hands of those who have been elected to office with guidance from the public servants. But it must be placed in the hands of elected Members. The responsibility should stop, in this regard, with the Minister of Environment. That's democracy!

Then, Madam Speaker, the cost of the administrative machinery established, and we are adding more and more sections, or taking away (or whatever we are doing), but it's 40-odd now by the government alone. The administrative machinery established by this Bill to administer and enforce its provisions is going to be significant. I never heard anybody say that, but it is going to cost us. Don't say no. And we are going to do it right. If you think not, the cost . . . we will lose some opportunities, so that's cost that is costly. We will lose opportunities.

Oh, you can shake your head and say, no, Minister, but you wait. We wait, right? We will lose.

And then there is the new Council, the directives to landowners, developers, the Cabinet caught up—and you can believe it's caught up—in Grand Court. And they wrestle with the challenges created by protected areas, created by buffer zones, created by protected species, created by critical habitats of protected species, created by permits, created by licences, created by management plans, created by cost of conservation plans with one for each protected species. That will be more than significant from what I

can see. But I will be glad if the Minister can show me that it is not going to cost. I will be glad. Now, we know it is going to cost some money. Everything costs something. But the cost is going to be significant.

Madam Speaker, do not tell me, and think you can get away, that I don't support conservation. No! From the day that I could vote in this House I gave my support. But it had to be balanced. I was not for striking out the little man and leaving it for the big people. No. The little man has to be able to enjoy, has to be able to eat too. So, Madam Speaker, in 2004 "A Bill for a law to effect the provisions of the convention on international trade of endangered species of wild fauna and flora ("CITES"); to help conserve wild populations of endangered and threatened species of animals and plants by controlling trade, transport and related activities in designated species and in products derived from them; and for incidental and connected purposes", was a Bill that I brought here and passed.

There was the law of, I think ³2001, for the absolute protection of certain lobsters, closed seasons, limit of lobster catch, restriction on taking and receiving of conch, restriction on taking and receiving the Nassau grouper, designating spawning areas, use of spearguns prohibited, restrictions on use of fish pots. You know the licks that I took for that? Madam Speaker, you might have been in the Chair, or you were part of the Cabinet, but we took some licks for it. But what did it do? It stopped them taking lobster when the lobster was spawning. And every area has benefitted now, all three areas.

Then there was another amendment to the closed seasons and bans on lobster conch and Nassau grouper, change of season. Restriction on taking and receiving whelks, use of spearguns, again, taking of certain marine life—the same sea-sucks I heard the Premier talking about—periwinkles. A licence to fish. A prohibition relating to divers. You tell me . . . you have the audacity . . . no wonder he's gone out. He can't take the truth! He can't deal with it. All of that, the [2003] Bill, got caught up in the Endangered Species (Trade and Transport) in [2003].

There was the Animal Law, Madam Speaker, where amendments were made for protection. I never brought the Bill myself, but I was part of the Cabinet. The White-Winged Dove, the White-Crowned Pigeon, the Blue-Winged teal, Meagre Bay Pond, Colliers Pond, Dennis Point Pond, Booby Pond and Rookery. And it gave protection to our wild life, such as we have. And the Premier says that I don't like conservation? No! I balanced it. I made sure that development could go forward, and I did support certain development in this country, supported the Dart Group of Companies, the canal. But what did we get for it? Some 400 acres of wetlands, plus money to the National Trust. That's what we got.

How did we get the parks? I demanded, *I can support you, but you must build a park in every district for our people.* And we got it! Beautiful parks. And you have the audacity to try and tell people that I am against conservation? No! I support the department within reason on the things that they do . . . and certainly my record on bringing tough legislation, even within the House, Opposition here—the present Premier then part of the Opposition. And he has the audacity to get up there.

The Marine Conservation (Amendment) Law 2002, the Marine Conservation (Amendment) Law 2001. We didn't do anything? We did a lot, Madam Speaker! But we also had the sense to know that we cannot close down everything in the country. No.

All I am saying is that this legislation did not come forward before. They are saying if we don't do it now . . . well, we have been around 10 years. Yes, it's true. We have been around 10 years with this legislation, or more. But there must have been serious misgivings over those years about the various sections, or else you would not have had three Governments talking about it and looking at it and also you would not have had 44 amendments today. So, cuss who you want, blame who you want, let's amend it so that it's workable and gives the department something that they can work with but also gives protection to people for their property. That's my concern.

Madam Speaker, the greatest challenge to any country's environment is poverty. That's why I try to say here this afternoon that if you check our history [you will find that] we brought ourselves out of that poverty. But we had to give something up. Persons in a country will do whatever is necessary to survive regardless of how it affects the environment we live in. Look at the various poverty-stricken countries. Haiti. What happened with them? You hardly see any trees. People cut everything down to make firewood.

Look at the various poverty-stricken countries and you can see what happens to the environment when people have no work, when people have no money, when people have no food, when people have no hope! And when you take it away, then poverty, then your economy is degraded. Don't tell me that we are so bad off, like how I heard some of you all singing over there. No, [we are] not that bad. As has been rightly said, the people in the east have taken care of their land and it is still there. Yes. Over the years there was a logging industry of some kind, as well as there was a phosphate industry of some kind in West Bay. But you can believe that wouldn't have paid you any money to live on the beach. Not in this little two-by-four Island. No. What did that is that we allowed people to come here and we made money off of those people. So we must not put it so, we put it simple that those people can't make money. Yes, we have to preserve what we have left here for the sake of posterity. By God there is a future, but there is a present. And that is the balance that I would want.

³ Marine Conservation (Amendment) Bill, 2001

So the biggest challenge for any Government is to have an economy where everybody can find work. That stops poverty, Madam Speaker. I see somewhere in here about a fine of \$500,000. I hope somebody can give me an example of how that would be used. If it's not draconian, well, tell me.

I will wait now, Madam Speaker, to see how the proposed amendments will work in relation to the Bill as it stands. I wish the Government would consider putting it into select committee, as I said, so that the Minister can be the chairman and we can sit down with those 44 amendments to see exactly what we are getting. You might say that we can do that in here. But, Madam Speaker, it is not going to be done in here as easy as it would be done in that committee room. And I wish that the Minister and the Government . . . I say give ourselves some time. They don't want to do that. Well, that's their business. But, as I said, I think this Bill has been amended to death.

The Speaker: 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 stand before you today as a Member of Cabinet in a Government that brought this Bill forward. Madam Speaker, all of you in this House know (for the listening public) that as a Member of Cabinet I am bound by collective responsibility once this Bill is brought forward. But, Madam Speaker, I want to make it very known that not only because I am a member of Cabinet do I support this Bill. I support this Bill from a philosophical perspective, but also having actually looked at the Bill and being a part of some of the proposed amendments that the Government will be bringing forward, now seeing the Bill with respect to having the amendments so the latest iteration of this Bill I am happy to say, Madam Speaker, that I am proud to be part of a Government that is putting forward legislation that will for the first time take a comprehensive look at conservation.

Madam Speaker, before I get into the actual aspects of the Bill I want to speak about why I support the Bill from a philosophical perspective. We had a lot here today with respect to the need to preserve, to conserve for future generations for them to be able to experience the joys and the fears, even, of some of our natural and indigenous flora and fauna and protecting our endemic species. Had we not had the foresight of some of our forefathers and foremothers in doing that just as a part of their nature, we would not be able to say that we would have had those experiences. The fact is, Madam Speaker, our natural

environment is who we are. It makes up a big part of what it means to be Caymanian.

So much of our cultural heritage is intertwined figuratively and literally, and dependent on our natural environment. Madam Speaker, I am thinking about the cottage industry of the rope-making, the twist and strand, as my grandma used to say. That industry entirely depends on the availability of the Silver Thatch, cutting tops. A lot has been said today about providing opportunities and economic opportunities for our people. But it is very important for us to recognise that this aspect of our cultural heritage and this aspect of our endemic flora is a vital part of a source of income and employment for many of our elderly people today.

Even today we have an industry that supports the tourism industry with respect to making sure that our tourists and locals alike are able to consume some of the thatch work that was such a vital part of our economic and cultural history here in the Cayman Islands. I have to say, Madam Speaker, the greatest investment that I have made (and I call it an investment) is one grounds bag. And I tell you, that grounds bag is my shopping bag, that's my baby bag, that's my going-to-the-beach with everything-I-can-carry bag. And that bag is probably stronger than me. And I know I am going to have that bag for a long time. And I am very happy to know that that bag is not only of practical use but it represents a part of me and my cultural heritage. And I bought it from one of the proud West Bay women, Ms. Rose May Ebanks who is a stalwart in the industry with respect to promoting our cultural heritage.

Madam Speaker, as Minister of Education, I am proud to say that I continue to support an initiative of Cayman traditional arts which very much depends on the availability of the Silver Thatch for many of its demonstrations, many of its crafts and artwork that our children are being exposed to, are developing an interest in, and a connection to. We often hear the cry by many, *Oh, Cayman doesn't have a culture*. Well, I have to say, Madam Speaker, if we didn't have our endemic flora and fauna that we still hold very dear and are aware of and actually utilise in this way in our daily lives, that argument could potentially hold true for many people. Madam Speaker, I do not want to ever be in a situation where I will only be able to read about the conch, reach about catching lobster, or read about what it means to twist strand and make thatch rope.

Madam Speaker, this legislation is about conservation. As the preamble says, it is about promoting and securing biological diversity and the sustainable use of natural resources. The Bill also seeks to protect and conserve endangered and threatened endemic animal and plant species and their habitats as well as the natural variety of wildlife in the Cayman Islands.

Madam Speaker, this is not a be-all, end-all piece of legislation when it comes to the environment. It doesn't attempt to be. There are many other areas

of the environment and environmental protection that we need to consider with respect to pollution, with respect to the use of fossil fuels. All of these things are important and all of these things need to be considered in the advent of global warming and other natural disasters which are often now linked to the use of manmade related activities.

But, Madam Speaker, if we don't start somewhere by acknowledging and representing as a people that it is important for us to not only conserve and protect but to promote who we are as a people and our connection to the land, our connection to the sea . . . Madam Speaker, I am proud of our Blue Iguana. I am proud of the Rock Iguana. But I have to confess that I am a bit afraid of them as well. But, Madam Speaker, these are the stories that I want to be able to continue to tell my son. And I want him to be able to have whatever experiences that he will have and tell his children, and then for them to be able to actually experience for themselves what a Blue Iguana and a Rock Iguana is.

Madam Speaker, I have to say that on one of my recent visits to the Brac, I came up close and personal with what a Rock Iguana really is. And let me tell you they have redefined my view of Cayman Brac! But I wouldn't want it any other way. I would not want it any other way, Madam Speaker! And it brings me to sadness to know that they were on the verge of extinction at one point, our Blue Iguanas in particular. And the fact now that we are hearing that you can go on the Internet at, I don't know, *wildlife.com* (dot whatever) and be able to purchase what is indigenous to us here in Cayman aggrieves me. But, Madam Speaker, if we don't have a piece of legislation like this to help protect and conserve our indigenous flora and fauna, that may be the only place we can actually access and know what it is to have a Blue Iguana and a Rock Iguana.

Madam Speaker, I know the opposition to this (and I say "opposition" loosely, not necessarily the members of the Opposition, but people who have put forward opposing views as to why this Bill should not be brought to the House) is very much caught up in the idea of taking away people's access to their land. We know land is a very emotive thing. Wars have been fought—

[Inaudible interjection]

Hon. Tara A. Rivers: —still being fought—locally and abroad over land.

So, Madam Speaker, I appreciate the fact that as a Caymanian land is very important to us as a people as well. I am thankful for the foresight of my grandmother who, Madam Speaker, we don't have much, we don't have the hundreds of acres of land that I hear some Members of the House talking about. I only have a couple of house lots. But, Madam Speaker, I am thankful for the foresight and the idea

to conserve and preserve what is your family inheritance that was put forward by my grandmother. So I was able to inherit something that I can call my own as part of this terra firma.

Madam Speaker, I also want to say that as a member of Cabinet, but also as the Second Elected Member for the district of West Bay, it was very important for me to make sure that I not only promoted the need for this Bill, but that I listened to the constituents in West Bay with respect to their concerns. Having attended both public meetings, the one hosted by the Minister of the Environment on 2 December (the very first public meeting in the sessions of public meetings that the Minister and his team had), in West Bay . . . and, Madam Speaker, that wasn't by design. I specifically asked the Minister of Environment if we could have the first meeting in West Bay because I understood that there is a lot of confusion about what this Bill represented with respect to the marine conservation as well, and I will get to that in a little bit.

Madam Speaker, at that meeting I made a point to say that, yes, as a Government we have brought this Bill forward in very short order. As many people have said here in this honourable House we all in some form or another campaigned on the desire to have a national conservation law. The Progressives had it specifically in their manifesto with respect to this Bill, the Independent candidates spoke about the need for a national conservation law. So there was already consensus amongst us about the need to have such a law in place. Now, the specifics were yet to be worked out. As you can see, Madam Speaker, they are still being worked out. But that is not a bad thing. That demonstrates to the people, in particular the people of West Bay whom I addressed at the first public meeting saying the consultative process was not an exercise in futility . . . this Bill in its current form is not a done deal. We want to hear from you. We are willing as a Government to listen to you and to take into consideration your concerns. And where it is deemed valid with respect to the positions put forward, we will happily take those concerns on board.

Madam Speaker, we didn't necessarily take every single comment, because, again, some comments weren't necessarily put forward in a constructive manner. But I have to say, Madam Speaker, after looking at, yes, a very extensive number of amendments, I am happy to say that this Government really has lived up to being a Government that is prepared to have true participatory democracy.

Madam Speaker, I would like to look very briefly at some of the areas in the [Bill] because as the great leader, the former president of South Africa, Nelson Mandela, said, education is the greatest weapon that you can use to change the world. I think it's important for people who may not have had an opportunity to actually look at sections of the [Bill] to get a good understanding. I know the Minister of Environment in his presentation of the Bill did a good job in

giving an overview of what the Bill had to say, but to address some of the concerns in particular of constituents of mine, some of the concerns that have been expressed to me, I thought it was important that I just reiterate some of the provisions and deal with some of those concerns.

Madam Speaker, I have already outlined what the purpose of the Bill is, and, therefore, what the parameters are, what the restrictions are. So the Bill is not about pollution. It is not about the landfill. It is not about recycling. The Minister of Health has indicated that he will be looking at a comprehensive policy in that regard. And I look forward to working with him as a member of Cabinet to bring something forward in due course.

Madam Speaker, if we look at the definition of “protected area” . . . because, again, we have heard a lot about Government wanting to take your land. Protected area specifically makes it very clear that it is in relation to Crown land as well as land that can only be by agreement with the private landowners. So, Madam Speaker, there is no provision that deals with taking people’s land against their will. And we have brought some amendments to make that specifically very clear on its face. And the Minister of Environment will go into more detail when he does his wrap up.

Under Part 3, Conservation of Land, as it says in [clause] 7, the Cabinet can only designate Crown land or Cayman waters as protected areas. Again, it is land that the Government already has that will be deemed as protected area.

Under [clause] 13, an area not being Crown land may become a conservation area by agreement between the landowner and the Cabinet. Again, if there is no agreement, then the designation cannot happen.

[Clause] 14 goes on to talk about a landowner may covenant with the Cabinet for such consideration as may be agreed—again, this word “agreed”—that the land may be made subject permanently or for a specified period to restriction on the use or development of the land as may be specified in the agreement.

Madam Speaker, a lot has been said about not being able to extract economic value out of your land. Well here, Madam Speaker, clearly on the face of the legislation we hear that a landowner, a private landowner, may agree with Cabinet for such consideration as may be agreed. And, Madam Speaker, as you know (being an attorney yourself), when we talk about “consideration” that is legalese for monies to be paid, or some other form of acceptable currency that you as someone entering into this agreement are willing to accept.

So, if a person has land in the swamp, or someplace that would be almost impossible for them to afford to develop, if that land happens to be a land considered a critical habitat for species, given the fact that there are certain species on that land, if that

landowner decides to actually enter into an agreement with the government, that’s one way they could actually potentially extract economic value without striking a lick, because that land itself without the face of this legislation preventing development, so to speak, as they claim, might not even be feasible to be developed, period because of the amount of fill, the amount of whatever that has to go into it might be beyond a small landowner’s capacity to do. But if they decide of their own free will that they want to preserve this area because of the importance to our natural environment, they can actually extract economic value by getting some consideration for such an agreement entered into with the government. So this argument about not being able to get any value for your land really doesn’t hold water in my opinion, Madam Speaker.

Madam Speaker, without going into significant detail about the amendments with respect to [clause] 41, suffice it to say that what the Government is putting forward in the various forms of amendments goes a long way to tighten up and deal with some of the concerns expressed. Again, it is a clear demonstration that this Government is willing to listen to the people and to take their concerns on board.

Now, we also will demonstrate that this idea that the National Conservation Council is this all-powerful council that will dictate what happens in this country as a result of the fine tuning, that simply is no longer of concern from my perspective. Again, the Minister responsible for Environment will give us those details as appropriate.

Madam Speaker, we heard a lot again about ceding control of what happens in this country to a bunch of civil servants, as was characterised in various forums. [Clause] 49 specifically talks about, “**Cabinet may give to the Council in writing such general directions as appear to the Cabinet to be necessary . . . and the Council shall act in accordance with such directions.**” Again, Madam Speaker, this reinforces the fact that with respect to this Bill the power ultimately lies with the elected representatives, the Government.

Many persons who support this Bill may feel that that shouldn’t be the case. But again, it’s about balance; it is about striking the right balance, or striving to achieve to strike the right balance, with respect to ensuring that the elected representatives, the ones who answer to the people (the Cabinet in this instance) are the directing minds with respect to policy and the implementation thereof.

Madam Speaker, I want to say that in addition to the other amendments that are put forward with respect to the Government’s position, I particularly want to endorse the composition of the Council to include representatives from each of the districts. I come from, and I represent, a district that is very much about the environment, and, in particular, the marine environment. So, Madam Speaker, this Bill in its form here today does not deal with and does not

change the marine conservation laws or regulations. It does repeal the Marine Conservation Law as the Minister has outlined, but the regulations and the provisions with respect to the restrictions, et cetera, will remain the same as what we have right now.

I think there was some confusion on the part of several people about whether or not what happened with respect to the public meeting prior to the last election that dealt specifically with looking at the marine park and extending marine parks and somehow that is wrapped up into this Bill . . . Madam Speaker, that is simply not the case. I can tell you, Madam Speaker, coming from a strong history of seafarers, my father, step-father, grandfather, uncle, grand uncle . . . Madam Speaker, our motto, "He hath founded it upon the seas," . . . well, I can tell you no more so than from the district of West Bay. I will not be supporting anything that will not take into consideration reasonableness and anything that would be seen as unduly restrictive.

Also, Madam Speaker, I will advocate, as we have given a commitment already, that any change in that regard will need to go back out to public consultation to hear from the people with respect to their position. But also, Madam Speaker, knowing that if we did not have the bold persons in our history, the ones that took the step to introduce the Marine Conservation Regulations to begin with, we would not have the ability to enjoy the marine life that we do have today.

Madam Speaker, I come from a district where salt water is in my blood. And I can tell you that having grown up on the salt water, so to speak, it is very vital to me to ensure that our children and our grandchildren will have those same experiences and be able to see a goggle eye, be able to see and experience diving for conch, and Madam Speaker (even though I am not a big fan), be able to see and experience swimming with the stingrays.

Madam Speaker, this Bill is also not about criminalising persons. This Bill is not about trying to get people. But what it does is try to ensure that sufficient penalties are in place to act as a deterrent to breaking the law. We hear time and time again, *What is the point of passing legislation if it doesn't have any teeth?* Well, Madam Speaker, this [Bill] actually does attempt to have a few molars, to have a few bicuspid; it actually attempts to have some sort of ability to enforce and to allow for that. But, Madam Speaker, as we will see, there will be some amendments to this section to ensure that adequate protection is in place for persons with respect to having to have the burden of proof shifted.

Madam Speaker, I can't stress enough that this Bill is not about impeding development. And I have to say that even I had a few concerns, a few reservations prior to looking at what this Bill is trying to achieve, hearing the rhetoric, reading the articles, having the representations made to me that this Bill would, in some way, not be in tandem with the fact

that we need to continue to develop as a people, as a country, as a community.

But, Madam Speaker, when we have organisations, such as the Society of Engineers, Architects, Surveyors, people who actually have their bread and butter, people who depend on development coming out and publicly endorsing this Bill and saying it's about time, that gives me the kind of empirical information, that gives me the comfort that I need to say, *Well, you know what? This is not going to have this fire and brimstone, bringing this country to a halt, as many people would like people to believe.* It brings clarity, it brings structure, and it brings a sense of expectation—an expectation that most big developers, especially foreign developers, have with respect to wherever they develop anywhere else in the world.

Madam Speaker, if we don't ask anything of these people, in many cases we won't get anything with respect to protecting and conserving our natural resources, where possible, and where it makes sense to do so. This Bill is about ensuring sustainable development and that is where the balance takes place—the idea of sustainability and the idea of development. This Bill is about putting an actionable plan as to how to enact that.

Madam Speaker, in closing I would just like to reiterate that this Bill is very much about ensuring that our children, our grandchildren, future generations have the opportunities—and I want to stress that: have the opportunities—to own land, to enjoy their land, to experience the natural environment that is their land. I cannot stand here as a member of the Government and know that I had an opportunity to create an environment where there is the possibility . . . because, again, nothing is guaranteed (nothing in this life is), but the possibility that we will have the Silver Thatch, the Blue Iguana, the Rock Iguana for many generations to come, and other endemic flora and fauna.

[Inaudible interjection]

Hon. Tara A. Rivers: Well, you do that, I'll be there.

Madam Speaker, progress requires action by the bold. Leadership requires having the vision and the foresight to see and to formulate a plan for the future, beyond tomorrow, or even the day after tomorrow. We have a proud history of progress, of leadership with vision and foresight. But, Madam Speaker, we are at another crossroad where we have to take a bold step and say, *Enough talk about conservation.* Enough rhetoric about conservation; it is now time to act to ensure that we promote the idea of conservation.

And, as with every other piece of legislation tabled in this House, Madam Speaker, at some point we will have to amend. But that is just the way it works. Legislation, law, is living, breathing, and it must reflect the needs of the time. So, Madam Speaker, the

fact that we have 40-something amendments just during this time, to me is encouraging. It means that we are active, we are on the ball, we are reading what is going on and we are responding to the concerns being addressed to us by Independent Members of this House, members of the Opposition as well as members of the public who have emailed, texted, [posted on] Facebook and let us know that they have certain concerns.

I am confident to say, Madam Speaker, that what we end up with, once we finish this process, will be something that the country can be proud of and will actually help to move us that much further in our goal and our quest for progress and sustainable development. Thank you.

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

Mr. Bernie A. Bush: Is it possible to start in the morning?

The Speaker: It would be at the wish of the House. The House took the motion earlier on that we would complete the Second Reading.

[Inaudible interjection]

Mr. Bernie A. Bush, Third Elected Member for West Bay: Madam Speaker, I too had not planned to say anything, but I will keep this very brief.

I want to start by saying thanks to the Minister for being, as said in one district, that there were not going to be any amendments, or something to that level. But 40-something amendments . . . thank you, sir.

Thank you, Madam Speaker, through you to the Minister, for allowing a lot of our concerns. It is not that no one on this side—

The Speaker: Sorry for the interruption, but for the sake of the record, let me say that I recognised the Third Elected Member for the district of West Bay.

Mr. Bernie A. Bush: Thank you, Madam Speaker.

A lot of our concerns, at least my concerns, have been met by some of these amendments. I have listened, and at times it sounded as if some of the other Members wanted it to seem that people on this side over here didn't want a conservation Bill. But I did. And I do.

Most of my concerns have been met. The fact, like what the Second Elected Member for West Bay just said, we have moved along. These have been discussed and talked about and changed. I want to say thank you and that we now wait until the next stage of the Bill to make sure they are in. Thank you.

The Speaker: Does any other Member wish to speak? [pause] I have no indication that any other Member wishes to speak.

I will recognise the Honourable Minister, if he wishes to exercise his right of reply.

Hon. G. Wayne Panton, Minister of Financial Services, Commerce and Environment: Madam Speaker, I have welcomed a lot of the comments from my colleagues and from the other side on the debate in relation to this extremely important Bill. However, Madam Speaker, I recognise that there has been a lot of input, a lot of good responses reflecting a variety of issues. I would crave your indulgence, given the hour in particular, if we could complete the wrap up on this Bill tomorrow morning.

The Speaker: In light of that, I recognise the Honourable Premier to move the motion for adjournment.

ADJOURNMENT

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

I want to extend my gratitude and that of the Government to Members for the contributions they have made today and for their patience in working until this hour on this very important matter. I move the adjournment of this honourable House until 10:00 tomorrow morning.

The Speaker: The question is that this honourable House be adjourned until 10:00 tomorrow morning.

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

Ayes.

The Speaker: The Ayes have it.

AT 6:37 PM THE HOUSE STOOD ADJOURNED UNTIL 10:00 AM, FRIDAY, 13 DECEMBER 2013.

