



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

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Second Sitting of the Second Meeting

(pages 333-378)

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

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PRESENT WERE:

SPEAKER

Hon Juliana Y O'Connor- Connolly
Speaker of the Legislative Assembly

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 Marco S Archer, MLA	Minister of Finance and Economic Development
Hon Osbourne V Bodden, MLA	Minister of Health, Sports, Youth and Culture
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 Eric L Bush	Temporary Deputy Governor, ex officio Member responsible for the Civil Service
Hon Samuel W Bulgin, QC, JP	Attorney General, ex officio Member responsible for Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon Anthony S Eden, OBE, JP, MLA	<i>Deputy Speaker</i> , First Elected Member for Bodden Town
Mr Alva H Suckoo, MLA	Fourth 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

OPPOSITION MEMBERS

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

INDEPENDENT MEMBERS

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

**OFFICIAL HANSARD REPORT
SECOND MEETING 2014/15 SESSION
THURSDAY
11 SEPTEMBER 2014
10:27 AM
Second Sitting**

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

The Speaker: Good morning. I now call on the Fourth Elected Member for the district of West Bay to grace us with prayers. The Third Elected Member has asked that the Fourth Elected Member do prayers because he is having some issues with his voice this morning.

PRAYERS

Capt. A. Eugene Ebanks, Fourth 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. The House is now resumed.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

APOLOGY

The Speaker: I have received apologies from the Leader of the Opposition.

Before we move on to the next item, I am also affording Members the opportunity, if they so desire, to express their feelings or sentiments and memories on [the anniversary of] Hurricane Ivan. I would ask that you take a maximum of two or three minutes to make your expressions heard; if that is your desire. And please let us not play cat and mouse and wait on each other.

Thank you very much for the excellent lead, Honourable Premier. Please proceed.

SENTIMENTS EXPRESSED ON THE ANNIVERSARY OF HURRICANE IVAN

The Premier, Hon. Alden McLaughlin: Madam Speaker, today, is the 10th anniversary of what was, without doubt, the most devastating natural disaster to ever hit these Islands. I think all of us are very conscious of the need to be thankful for having survived that event. The Cayman Islands lost two souls as a direct result of the hurricane, but countless others died in the aftermath of the hurricane, persons who were ill, persons who were aged. I don't know if we can ever accurately pinpoint the number of persons whose demise was hastened as a result of Hurricane Ivan.

We must also be thankful and, I believe, indeed proud of the efforts to ensure that all of us who remained, survived the storm. I will always remember and reflect upon the feeling that we were one big family, all connected to each other in the run-up to the storm, but particularly in the aftermath of the storm when many of us who had much were reduced to the same level of those who had little. The way the country pulled together, the love and fellowship which was demonstrated by persons from all walks of life, from all nationalities who had called this place home; that is one of the most positive things I think any of us can take away from Hurricane Ivan.

Madam Speaker, yesterday I opened a symposium on Ivan at the Westin. There were not only persons in Cayman who had experience with Ivan and preparation for natural disasters, but persons from the region who are experts in disaster management. As I sat there before the opening ceremony and saw the slideshow and saw photographs of what Ivan had done, my heart started pounding and that old familiar panic came upon me. It brought back a time which all

of us would wish to forget, but I don't think any of us who survived it will ever forget.

As I reflected upon how far we have come since then, it was not with just the rebuilding of the Island, because I think few countries in the world would have been able to put it back together as swiftly as we did, but to have rebuilt even stronger than we were before. And, as I reflected upon what has transpired in terms of planning for disaster management, and the advent of HMCI, Hazard Management Cayman Islands, one of the work products of the administration of which I had the honour to be part of, (the first PPM Administration from 2005 to 2009), and the development of not just the legislation which is now in place, but also the creation of the whole Hazard Management Unit, of the tremendous strides we have made in understanding and appreciating that planning for a hurricane or any natural disaster is not something we can just do a month or two before the season starts, but it is something that has to be year round. And with the advent of new technology, in particular, the acquisition and implementation of the Doppler radar system that gives us advanced warning of such events, I think we can be proud as a nation of how far we have come.

As one of the regional directors said in his opening remarks yesterday, Cayman really is a model for the region in not just how we deal with natural disasters but the systems we put in place and our constant effort to improve upon what we have.

So, Madam Speaker, I am pleased this morning to be able to offer these few words to give God thanks for His mercies in having spared us . . . well, I shouldn't say having spared us from another hurricane season, but having spared us from another serious storm since Ivan. I am grateful for all those who work so hard to make Cayman a safer place. I am grateful for a people who are so conscious of the need to prepare and so grateful for our people who demonstrated in the aftermath of Ivan that regardless of where we come from with 135, 140 different nationalities here, that we could work together in love and friendship and fellowship to rebuild this country again to be the country it now is, the envy of much of the world.

So, Madam Speaker, I pause with the rest of the nation today to reflect upon and to give God thanks for where we are and to remember always the lessons of Hurricane Ivan.

The Speaker: I recognise the Elected Member for East End.

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

I too wish to recognise this 10th anniversary of the passage of Ivan.

Like the Premier said, I believe this was the biggest natural disaster this country ever faced in over

70 years since the hurricane of 1932. I believe that East End, the district that I have represented since 2000, was hit worse than anyplace else. There were many heroes, people who sacrificed their lives to save other people's lives in the middle of that hurricane; the recognition, albeit late but now here. There were people who worked so well together that it showed us just how resilient we were in the aftermath of that hurricane and how much we came to each other's aid following that.

I recall quite vividly leaving my home in Savannah at seven o'clock that morning and not reaching East End until noon that day. A twenty-minute drive turned into five hours. There was so much to be done. Entering East End and recognising after a few days that 80 per cent of that district had been damaged with 20 per cent totally destroyed. I know that comes as a surprise to many of us, because not many people came to East End, including the Government.

So, whilst I recognise the people who were heroes during that storm, I think I should likewise recognise those who came to the aid of the people of East End, in the form of the Olde family. The matriarch of that family has never been recognised publicly for the contribution that was made. Millions and millions of dollars were poured into that community from that one family. So much so, that Government did not even have to come to East End. That was what the people of East End will always remember, the Olde family coming to their aid. And I am eternally grateful for that family for having contributed so much.

Madam Speaker, you were there. You even helped distribute food with us because of the lack of damage in Cayman Brac and you came to the aid of the people of East End as well.

The fact that we are 10 years late in recognising many people, may be somewhat disrespectful, but at least it is here. This evening we will be having a prayer meeting in the middle of East End. Pastor Marquis is spearheading that. And we will be showing a lot of pictures.

The Premier spoke of the symposium that is being held. One of the things people do not know is that we have, I guess, miles of video. My cousin, and your good friend, Madam Speaker, Darrell, took a video of East End the day before Ivan. Then we took a video the day we got out, the Monday morning, and then we took videos leading up to the complete restoration process.

Madam Speaker, today I am using those photos to remind the people of East End of what we went through and to show them the resilience that is still in them as Caymanians that we all know we have. I keep saying people see our glory, they don't know our story. That's when the story of the Caymanian came together and we worked together as one to restore what we call home, and I am so proud of my people for that.

Unfortunately, I didn't get any requests from those who were organising the symposium for any material out of East End. We have some 10,000 pictures of East End. We have miles of video, amateur footage.

Madam Speaker, I think we can thank God for sparing our lives, even though we lost two. I will never forget when they said we had disappeared off the radar. That was a common theme. And to re-emerge . . . and I remember the first meeting of this legislature following Ivan when I talked about how I was modelling the Cayman Islands off the mythical bird, the Phoenix—we shall rise from the ashes. And, oh, did we rise from the ashes!

Today you go through East End and the only thing that reminds you that there was a storm are the three walls that I built, and one house down at High Rock. Madam Speaker, no electricity for three months, no water for months, and us having to struggle to even get ice; those were the days when we all had to band together. But we rose from it, and we are better off as a result of Ivan. I hope this evening that the people come out, not only to recognise what we went through, but to give thanks for what did not happen to us, and to give thanks for being spared for so many years hence, and to look to the future and to resolve to do the same thing if we ever, ever find ourselves in this situation again.

Madam Speaker, I thank you for the opportunity and I want the people of this country to remember what we did then, so we don't need a natural disaster to do it in the future, and we can live as one people. That goes for all that are here. I remember after the hurricane too. There were so many other people who called me and donated to the cause, small though it was, it was a donation. There were many, many people who sent us stuff whether we could use it or not, and it was distributed to the people of the district of East End.

Madam Speaker, I thank all of those people publicly now, and wish them well for the future and look forward to us all working together as we did then for the future betterment of this country.

The Speaker: I recognise the Deputy Premier.

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

I rise to say a few words on the remembrance of Hurricane Ivan. In Cayman Brac, as you well know, Madam Speaker, what we always talked about was the '32 storm. And we heard about it from our parents and loved ones. Hurricane Ivan has given our generation something to understand what that type of disaster really is. And I have always said that unless you have lived through Hurricane Ivan on Grand Cayman, I don't believe you could understand what it was like to have that kind of wind and that kind of torment out-

side of your home or shelter. I didn't understand it personally until Paloma hit Cayman Brac.

But the thing that has remained with me from Hurricane Ivan is the resilience of the Caymanian people, including all three Islands, because in Cayman Brac we joined together immediately to understand what our place was going to be in the rebuild of this country and to offer ourselves.

I remember you and I joining immediately to understand how we could help Grand Cayman being in Cayman Brac and staging. But I remember the day that Cayman Airways landed in Cayman Brac full of 116 people from Grand Cayman with the eyes wide open of each person who got off that plane; wide open, almost in a state of shock. And the only thing the children had on, were diapers. And most of the young families had gym shorts and T-shirts, and that's all that they could account for as a possession in life.

I remember the community feeling of there was no question of what we were going to do or how we were going to get things to them and help them. We opened the doors to hundreds of people who came from Grand Cayman and stayed as long as they needed to stay and going down in the morning to take ice and sandwiches to send on the planes to Grand Cayman. Madam Speaker, it is a lifelong remembrance that puts things all in perspective of who we really are. And it makes me understand what it means to be Caymanian, what it means to be here to help somebody else when they are in need. And, Madam Speaker, as I remember Ivan, as other Members who spoke before me, and I am sure the Members that will speak after, the thing I will always take away from that experience is how everybody came together and rebuilt these three Islands, but mainly Grand Cayman, to make it stronger and better than it was before.

I truly trust that each person, each Caymanian, takes away from that experience the memory of what it means to help other people. I give God thanks this morning for what He did for us during the storm and after the storm in helping us to rebuild, and I will always be grateful for those mercies. Thank you, Madam Speaker.

The Speaker: I recognise the Honourable Minister of Health.

Hon. Osbourne V. Boddan, Minister of Health, Sports, Youth and Culture: Thank you, Madam Speaker, for this opportunity to say to my people out there listening and viewing, that today is, indeed, a day that I would encourage all and sundry to take a moment to pause and reflect a quiet moment, because we all have our own experiences—some a lot more traumatic than others. But I think no one can say that they were not impacted by this event 10 years ago.

God is truly good. I think that Ivan was visited upon us for a reason—for us to find that strength, that

character, that togetherness. It is unfortunate that since Ivan we seem too quickly to forget, sometimes, what made us get through that time. That bond of friendship, that level playing field, where we all stood in line—the rich, the poor, the ugly, the pretty, the black, the white, it didn't matter. We were all on one level playing field, those that stayed behind, anyway.

Madam Speaker, my wife and I had just taken our eldest son to university in Waterloo. And we got back the next week Ivan came. My wife and two younger children had to move to Canada for her to work for her organisation, and my son had to come back from university to save my life.

I remember the flies. I remember the hum of the generators. I remember burning up everything in my house with generators, not knowing how to use them. I remember the corned beef. I remember bathing with a cup of water. We were happy to have a cup of water each to bathe with. Now, we spend hours in the shower!

Humble, humble times, Madam Speaker, but I think it certainly has put things in perspective. I think everybody's mind-set now is pre- and post-Ivan. We tend to classify things as before or after Ivan, it was such a huge event.

I remember the morning of the 12th after securing the house, because where I live, we didn't have a great deal of water to worry about. We had a lot of wind. We lost a bit of roof and one window. Pretty much, that was the extent of the damage at the time. But leaving there in the safety of that Northward area and going out on the bay, as we call it (which is up Guard House Hill, past my mother's house), we couldn't drive past there, we had to park. When I hit the top of that hill with my family, Bodden Town looked like one big beach. There was no road. It was just white sand, conch shell, fish, you name it.

I had to really . . . I mean, it was still blowing 70 miles-per-hour. We were holding on to each other going up through there. And shovels, you name it, were out there. The grape trees that I grew up playing in—and anybody who remembers our property will remember the magnificent grape trees we had on that beach—were all gone. The landscape was unrecognisable. My gas station . . . the only thing that remained . . . because I can remember former Minister Clifford and I . . . Texaco at the time had told us to make sure we wrapped my gas pumps with plastic. And we went to the Civic Centre to make sure the people were in shelter there. We weren't elected at this time, this was before. We were on the verge of elections, of course. And we were doing community work anyway. We wrapped my pumps with this heavy-duty plastic that Texaco gave us. Well, it should have been something else, because the pumps, although I haven't seen them, disappeared. The pump island disappeared. There was nothing. All that was left was my original building in Bodden Town, the original shop. And the only reason that survived is because it

runs perpendicular to the beach. The length of it is perpendicular to the beach, I believe.

The liquor store was demolished. The people were helping themselves. I couldn't even bother to tell them don't. *Just take it; go!*

But to see afterwards the way that we came together, the way that we helped each other, I want to say that it is indeed a time for thanks giving. And, having said that, I basically want to let the public know that this year on this tenth anniversary the Government (the Premier will make a declaration in due course) will be formally recognising Cayman Thanksgiving in these Islands.

We know that we have had a group organising Thanksgiving in Cayman for some time. And we are going to make that into a formal recognition that we will have our own recognised Thanksgiving official day.

So, I just want everybody to pause and reflect and be thankful for God's mercies and to remember that we can all do with a little less. Those days it wasn't about what you had. You were just grateful and you were able to work with the little that you had. These times, we are often caught up in material things and we often forget what made us get through that time.

Before I sit I just want to say that in Bodden Town we didn't lose any lives with the storm. But afterwards, it took a lot of our elderly people, in particular. A lot of them passed away because of Ivan, because they couldn't handle their losses. I want to remember those people and their families and just ask us, today, to please take time out and let's all reflect and be thankful.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

Honourable Minister of Education.

Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs: Thank you, Madam Speaker.

I too would like to express my extreme gratefulness and thankfulness for God's mercies in sparing this beloved country during that most harrowing experience.

Madam Speaker, I also rise to recognise and acknowledge the unique survivor story which is not often told during these times, one that I myself experienced, which is, actually, being overseas when the storm hit and where all my life, my family, my loved ones, everything that I knew as being home, was basically under attack during Hurricane Ivan.

Madam Speaker, the experience for me, and many, of not hearing anything from anyone—for me it was up to five days—has to be the most difficult experience that I have ever had. I know I cannot compare to say which was worse. But, Madam Speaker, it was

an awful experience that I think many people would be able to empathise with, who may have been in the same situation. I remember that I was in my third year of law school—critical years, as many people would know. I was on the phone with my family when the phone cut off. I said, *Okay, it's going to take a while before I hear from them.*

The first day dragged on. The second day dragged on. The third day dragged on. By that time I was just not sure whether I was coming or going. But, Madam Speaker, one of the things that really kept me and many people going was the online community that formed of many Caymanians and friends of Cayman who somehow I was invited to be a part of, and I give thanks on a daily basis because that was my lifeline to what was happening at home.

On the other hand, it was a bit of a double-edge sword because I heard all of the stories about what was happening in East End, Bodden Town, George Town, North Side, radio silence about West Bay. So, that just added to my anxiety, because I knew and my family knew how worried I was, and I knew if they could get the message somehow they would get a message [out]. And the fact that no messages came or nobody in the online community could say what was happening in the district of West Bay increased the level of anxiety. Of course, at that time you think the worst.

Madam Speaker, I say that to say that the isolation that many of us felt during that time of being helpless, being able to watch the news, being able to see the storm advance, being able to see the beautiful, perfect storm that Ivan was, but not being able to do anything about helping, or even knowing what was going on and, in this case, with my own family in the district of West Bay, until I got a call on the fifth day from a family friend who managed to make it to George Town, because that was the only way they had the signal.

At that time, Madam Speaker (I am starting to feel very emotional, going back there), suffice it to say I am so very grateful for the sense of community that I experienced upon returning home when that first flight was able to come into the Island. But, Madam Speaker, again, being . . . it may be a unique perspective for many, but flying into Cayman and seeing what, to me, had to be the closest thing to Armageddon, in terms of the aerial view, was something that I actually don't want to ever see again. I didn't take any pictures, haven't seen any pictures, it's just one of those things where the memories will last forever.

But, Madam Speaker, the efforts of that online community, the efforts of that community of Caymanians abroad that helped to get the children overseas, helped to get the elderly people overseas as soon as possible . . . Madam Speaker, this country will remember that out of necessity there was a mass exodus of school-aged children going to Cayman Brac, going to the US, going to the UK, going wherever they

could to get family connections; myself and many other persons who were in that position helped to facilitate that. And, again, it is that coming together of the community as a whole, the community here that actually experienced it on the ground, but the community of persons who actually experienced it overseas and in support.

Madam Speaker, I remember when I was able to fly in. At the time they were just limiting the flights for Caymanians coming into the country. So, I got on to the very first flight. I was able to get in and I stopped via Texas to stock up. I remember speaking to one family member and I could hear the strain and the emotion when I asked what it was that they needed. The response was, *Bring Spam.* Madam Speaker, at that moment I realised how very difficult things must have been for people here. I think I bought every can of Spam on the shelf! I maxed out that credit card just to make sure that I could bring all I could to support the people that I love and the community at large, because as many of you here will remember, Cayman really became a village at that time, a village that we should never forget is important. As we say, it takes a village to raise a child. Well, it takes a village to build a nation.

I think that feeling, that sense of community, that sense of responsibility for each other is something that I hope we never forget. As legislators I hope that we continue to embody that in the way that we approach the governance of this country, but also, people and the way that they interact with one another.

I give thanks for living in an era of technological advancement. Oftentimes the power of that to mobilise people, for good or bad, is seen. But in this case, Madam Speaker, it was a Godsend for many of the Caymanian community that I represented during the Ivan experience. For that I am extremely grateful for those persons who took it upon themselves to make that organised effort happen and to say thank God for His mercies for bringing us back and far exceeding where we were before Ivan.

Thank you.

The Speaker: I recognise the Honourable Minister of Finance.

I beg your pardon, I did catch the eye of the Member for North Side, but he has graciously given way to you, Honourable Minister of Finance.

Hon. Marco S. Archer, Minister of Finance and Economic Development: Thank you, Madam Speaker, and thanks to the Member for North Side for the opportunity to speak. I will be brief, as you have said two to three minutes. I will respect that.

Like Minister Rivers, I too was overseas when Hurricane Ivan struck the Cayman Islands. I had left the country about three weeks before the storm arrived. I think about a week or two ago I was sharing

my experience with Minister Panton. I was moved to tears at the time because I remember the sense of helplessness as I watched what I knew would be absolute terror and destruction approach. A system that was 4,500 miles in diameter approached an island that is 24 by 8 miles. You didn't have to figure too much about what would happen.

The hardest part for me, Madam Speaker, was being across the Atlantic and not knowing what was happening. There was a news blackout on the Cayman Islands, of course, for those of you who would remember. In not knowing what was happening, and not being able to communicate with your family . . . for three days, Madam Speaker, I did not know if my wife and 15-month-old child were dead or alive. To me that was the hardest part, because if you were here . . . and I can't begin to compare the two. I don't know which one would be worse, whether to be here and experience it, or there and wondering.

For me, that was the most difficult part, not knowing if my loved ones were dead or alive. Of course, you had the occasional text message, but they were all very . . . how can I put it? They weren't very encouraging, the few messages that you did receive. Many of them referred to total destruction and those were people who were in other districts. No one could communicate from the district of West Bay where my wife and child were at the time.

I remember running from one television channel to the next just trying to find one that would give some indication as to what had happened in the Cayman Islands. They showed you that the storm had destroyed Grenada, they showed you that the storm had brushed Jamaica, and then they showed you that the storm had gone on to Cuba. But if you were not aware that the Cayman Islands was somewhere in the vicinity of Cuba and Jamaica, you would assume that it was all well. So, the lack of information, the inability to speak to your loved ones, and just being totally incapable of lending any assistance was, for me, the hardest part.

But there were one or two good things that I did benefit from Hurricane Ivan . . . or three. One was that I discovered that my wife is a lot stronger than I thought she was. Two, I learned to appreciate texting, because I always wondered why people would spend 10 minutes typing a text, when a telephone call was only 30 seconds. And three, was that I recognised and realised that in the face of helplessness one should never be hopeless. So, my faith was that God would be merciful and that there would be no loss of life. I never worried too much about material things and destruction to property because those things can be replaced. But those three things were, to me, perhaps the most important lessons that I was able to receive from what was otherwise a very difficult experience in my life and many other people.

Thank you for the opportunity, Madam Speaker.

The Speaker: Member for North Side.

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

I represent the district that I guess received the most blessings, or that was spared the most during Hurricane Ivan. Those who look for reasons other than the mercies of God will tell you that that was because when the wind was coming onshore, it was during the low tide hours. So that is why we got less damage. But we believe more that it was the mercies of God.

But our community came together. And while we suffered long, long, long after Hurricane Ivan, we got electricity and water. Most of the houses had cisterns and we could drive around, some of us, with a little generator on the back of the truck with gasoline that was provided us from a local private company and some from Public Works. Most people could enjoy a shower, which many other districts couldn't very shortly after Ivan because we went from house to house and pumped up people's tanks twice a day so they had running water, although they didn't have electricity.

It certainly brought our community together, and we will be eternally grateful for the mercies received in Hurricane Ivan. I guess the people who were frightened the most, unfortunately, were those who were in the hurricane shelter because of the damage that occurred to that hurricane shelter, similar to some that happened in other hurricane shelters as well. So, the community makes sure now that every May we ensure that the civic centre is fit for habitation, et cetera, in case there is a hurricane. And we dedicate one day every year in May to go in there and clean it up and make sure that stuff is there. So, we are grateful for the mercies that we received and will always remember Ivan.

I remember the morning after Ivan, my greatest shock was, that there wasn't a single leaf on a single tree. On the west side of my house there were all these green trees that didn't exist before Ivan, because they were all birch trees (so they were red). But the wind had removed all of the redness from every birch tree and they were all bright green and leafless. I could see almost all the way to the intersection of Old Man Bay because there was no bush, no leaves.

The intensity of the storm is not to be passed over lightly, because I saw in my yard where the wind removed an asphalt shingle from the roof of the building next to my swimming pool and stuck it vertically into a birch tree. Now, that tells you some of the force of the wind. I do not consider myself a weak person, and my grandfather always told us to keep a window or a door on each side of the house that we can open under the lee, so that you don't get the vacuum effect which removes the roof off of your house. So, my front door was open all during the hurricane because the wind was on the other side.

I remember coming out at two o'clock in the morning and will never forget the sound of the wind. It sounded like a jet engine. And I held my hand out and attempted to pull it into the wind, and I could not move my hand—the wind was so strong—even with open fingers. So, anybody who believes that there was not force to the hurricane and that the Cayman Islands was not blessed by a Greater Power than all of us can imagine, is missing the whole point and the lesson to be learned from Ivan.

Thank you, Madam Speaker.

The Speaker: I recognise the honourable Deputy Speaker, First Elected Member for Bodden Town.

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

I note this morning with irony, as I am sure those on this side see, my good friend from West Bay, the namesake of Ivan, Mr. Farrington—

[Inaudible interjection]

Hon. Anthony S. Eden: Not the Devil, he's a good man.

He is here.

Madam Speaker, Ivan, to me, was the worst nightmare in my life, just hearing the name. When I see or hear of any disturbance coming in the Caribbean, I just tense up.

Madam Speaker, I take us back to another time, Hurricane Gilbert, when these islands suffered greatly, but it was nothing in comparison to Ivan. Ivan was an element that I think continued as part of the warning that Gilbert gave us. We need to get our act together here in Cayman and throughout the world. We are being warned. As we look around throughout the world, the signs that we see, I urge us all to take warning.

Some of the things that I certainly remember are when we were able to get stuff from containers up in Bodden Town, parked at that time in Jerry Wood's yard, and to go about and deliver to those people who were in need. And 10 years later as I go into the supermarkets, Madam Speaker, people still come up to me and remember and thank me and my wife. I also remember Steve McField being there with us delivering. I don't remember some of those people I delivered to, but up until now they are grateful.

Ivan was a situation that brought these Islands together like I have never seen before in my six decades. There was a unity that crossed all boundaries, political and, as alluded to earlier, coloured or whatever, Caucasian, whatever; however you want to describe it. There was no division. I remember the heat and the rumbling of the generators. As the Member for North Side said, I will never, ever forget that howling sound.

I was blessed to be in a house that stood up to it, which I was able to share with people from across the district, Caymanians, non-Caymanians to help them. That is what life is about. Let us remember that God spared us. And, as the Deputy Premier said, I want us to remember Cayman Brac, the devastation that they also went through and how prior to that, Cayman Brac, as small as it is, was able to facilitate many of our school children and others who lived there, and how they were able to send ice and other things to us, like breadfruit. How could we live without that breadfruit?

[Inaudible interjection]

Hon. Anthony S. Eden: And I [recall], like the Member for North Side, there was not one single green leaf on any part of this Island. As one of the people who came here to help Cayman clear up said, it looked like Vietnam when they dropped the bomb and cleaned it up.

Madam Speaker, I [want to] take the opportunity to read a couple of verses from Revelation chapter 8. We think that Ivan was bad, Madam Speaker . . . for those of us who believe in the Bible I just want to leave three verses with you from Revelation 8[:7–9], the end time, this is as portrayed by John. He said: "The first angel blew his trumpet. And there was a storm of hail and fire mingled with blood, cast upon the earth; and a third part of the earth was burned up, and a third of the trees were burned up, and all the green grass was burned up." Just the same things you and I observed on this little Island. But this is the entire earth.

"[8] The second angel blew his trumpet. And something resembling a great mountain blazing with fire was hurled into the sea. And a third of the sea was turned to blood; [9] a third of the living creatures in the sea perished, and a third of the ships were destroyed."

It is just part of it. I would encourage all of us to read it when we get the opportunity.

Madam Speaker, Ivan was a warning. Let us not waste when we get these signs that we do not understand. And they are happening throughout the world rapidly—wars upon wars, rumours of wars, earthquakes in diverse places. But I would encourage all of us to live together bipartisan to the betterment of our people. I must remind us, as leaders and legislators, that as I visit some of the homes [damaged] by Ivan, people are still suffering 10 years later. Roofs are leaking. We must do better than this—whatever it takes.

This is not about politics, Madam Speaker. This is how I feel. I have seen those people in anguish and it is a disgrace that we are one of the top finance centres in the world and we can't make better provision for some of our people. There is a limitation on our budget, but we must make some exceptions.

May God bless us all, Madam Speaker.

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

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

While listening to all of my colleagues, the first thing that I remembered outside of all the memories (waking up two or three times last night because I knew today was the day, and looking up at my ceiling and saying at least it's not leaking now) was, when it was announced sometime after the hurricane, that the maximum wind speed was estimated to be 135 miles per hour. I don't care who that was or where that was, they were wrong! Big time!

Madam Speaker, like all of us, I have vivid memories of before (some of which I do not wish to remember, but cannot help remembering), of some people not wanting to leave their homes and us knowing or having a good idea what was coming our way, and cajoling them first of all to tell them, *Get on the bus you have to go to the shelter because you have no idea what's coming*. It got to the point where I remember, especially one group of people I actually had to pretend like I was angry with them and start hauling and shoving and pushing into the bus. I knew they were mad. Of course, by the time I got to the shelter two days later and they saw me, they started crying and thanking me for being so hard on them because they found out later that the water had gone up to the ceiling of where they were living.

I remember too, Madam Speaker, it took me two days to get to Rock Hole—two days, meaning I couldn't get there on Monday because there were too many impediments in the way (let me just put it that way). I always remember seeing Mr. Joe Forbes. Somehow or the other one of his chairs survived and he was outside sitting down with his elbows on his knees. I said to him, "Mr. Joe, I know. But all of us have felt it."

He quietly looked up and said, "Yes son, I know you know. I just don't know how many other people know what has just happened to us."

And he said to me, in his usual slow drawl, "God is a powerful God. And we just saw His power unleashed." And in the same breath he said, "But He is always a merciful God, because you see all of us are still here." That's what he said. And he was so right.

Madam Speaker, I am not even so sure that I would want to speak to some of the events. I am not so sure I want to relive them more and more, because some of them were hard, really hard. But, we have to be extremely grateful, just as all who spoke before me have mentioned that we all came together. And, Madam Speaker, even the businesses who are usually in the cut and thrust of competition, threw all of that to

one side and those who could help by supplying, supplied; and in our district of George Town the now Premier and I, along with many, many other volunteers (some are looking at us), the Member for East End in his usual light hearted manner said, "You wouldn't come to East End." But he was joking because he knew that he and I were in contact and he also knows that we did come. And he also knows that I remember—

[Inaudible interjection]

Hon. D. Kurt Tibbetts: No, no. I remember very vividly how he got to East End the first time, because we waved at each other when he was on the bulldozer and our good friend, Johnny, was driving the bulldozer and he was headed east. At that time we were trying to make sense of Bodden Town. And we had not gotten to town yet because Ocean Club, the entire building, or buildings, had come out into the middle of the road—

An Hon. Member: Mariner's Cove.

Hon. D. Kurt Tibbetts: Mariner's Cove, forgive me, not Ocean Club. Ocean Club was devastated also, but Mariner's Cove was out in the middle of the road and they were still working when I tried to get to town. That Monday they were still working on trying to make way so we could get past. And it took until it was late that night before we could get that way.

Madam Speaker, we keep hearing about the resilience of our people. And I know that there are many of us who have memories which will tell us that that is so true. But those were really hard times. It was so hard every day making up our little bags of groceries and necessities and then heading out every morning to deliver, because that was the only way plenty people survived. And you had to spend half of the time pretending that you were fine, consoling other people with their losses, and trying to encourage them to *just give it some time, let's keep it together and it will get better*—as it did, thank God. And that was hard.

I have to tell you, Madam Speaker, I wish not to be misunderstood in my statement, but for a long, long time in my life I have known what it is to be my brother's keeper. Not politics, but that is just from whence I cometh and how I grew and what I have become. But I have never seen it like that—not before or after.

My good friend, the First Elected Member for Bodden Town . . . I had to hear him first before I spoke because I know him. Just listening to what he said, because I know him well enough; I know what's in his mind on a day like today. You know what, Madam Speaker? If nothing more today, thinking of all that has happened, a day like today will bring back many memories and by tomorrow most of them will be gone

again. But do you know what I really wish? I really wish that somehow or the other we, all of us in here and outside, could go back to how that was just after Ivan, without having another Ivan, for us to come together again.

If we look at every day of our lives, we have come to the point where everybody wants a pound of flesh, whether it is with words or physically, or whether it is *my time to get back at you*, and that is a pity. That is not what God intended us to be as a nation. So, my prayer today, as we reminisce, and in one breath is saddened with many memories, while in another breath we are proud as a nation of how we have rebuilt this country, let us remember that rebuilding a country physically is very important. But as a people, how we live among ourselves is what will truly sustain us.

Thank you.

The Speaker: I recognise the Deputy Leader of the Opposition.

Mr. Bernie A. Bush, Deputy Leader of the Opposition, Third Elected Member for West Bay: I would like, Madam Speaker, to first thank my colleague here for allowing me to go before him. I try to give the elders of the House the floor before we rookies jump in. But I too have some things that stood out in my mind from Ivan. The Premier touched on it right at the beginning when he said, that at the time we may have only lost two lives, but the aftermath is where we lost them. My father was one of those [persons].

Like the Member for East End, there are some people who were never given thanks or recognition. I remember as the hurricane eased up, Jessie Smith, who has two backhoes, came over. I jumped on one. He said, "You do the coastline inland, I'll go and try to see what it is like to get into town." He spent two days up around the public beach area which we all know has always been an area where the sea and the sand will come over. And he was up there two or three days until Public Works big loader and the Jacksons also put their loaders in there to try to clear the road into town for the West Bayers.

During Ivan, while sitting with my father he said something so funny (and I had my family plus another seven other nationalities in my house). These older people always seem to have insight into what is going to happen. He had told my friends where not to park their cars. Some of them didn't listen and they lost their vehicles. The second thing my father said was: "You know who I feel sorry for after this, the little people who can't afford the big lawyers when these insurance companies rape us."

He was so right, once again!

Like the Minister said, we should have learned from this, not only about what the Premier said regarding the preparation and the hazard management and all those things, but us as legislators should en-

sure that after Ivan, and even going forward, that we must protect our people from . . . (make me be kind to say), these *companies* that insure us here, because a lot of them showed their true colours after Ivan.

Ivan also taught me something in my past time. I was the operator of Texaco Express Lube which was one of the most looked after buildings in this country after Ivan, because the whole building came about seven or eight feet out of the ground and twisted. Italy has their leaning tower; we had our leaning building here in Cayman as well!

Texaco flew in three aircrafts worth of supplies. I was given the task of distributing them, and, seeing the fact that the Leader of the Opposition had West Bay covered, my first stop was to try to get into East End. In East End, on the way up, I remember passing the First Elected Member for Bodden Town and his former colleague, Mark Scotland. I got into East End and we were in a little yard, and this little young fellow looked at me and said, "I know you. You're the football girl's daddy." All of a sudden I realised that it wasn't my time any more. She was not my girl anymore; I was her daddy!

So, Ivan was an eye-opener on a lot of things.

Just before Ivan hit, my daughter had signed her division 1 football scholarship to go play in the States. And during Ivan we got knocked off of a motor bike. I will never forget that. I remember jumping off the ground and seeing blood, but I was screaming "Where is my daughter?" And all of a sudden I heard her say, "Don't worry about me. Take care of my daddy, he's getting old."

[Laughter]

Mr. Bernie A. Bush: So, there were a lot of eye-openers during Ivan.

Another thing was sitting on the steps of Express Lube, feeling sad, and having Javi Gregory [PHONETIC] ride up on a bicycle, look at me and say, "Mr. B, it's nice to see you alive." Simple as that may sound, it meant a lot!

These are some of the small things that I have come to remember about Ivan. Like other Members have said, and Minister Tibbetts just said as well, it is a pity we could not have kept the togetherness that we had after Ivan because we were together.

I remember getting some gas and every two or three days going fishing, jigging for jacks, and going about giving people jacks, giving people fish in West Bay. That was so nice. And I would give people fish, and they would say, "Well I have some breadfruits blow off of my tree, take one or two." Then we got some breadfruit from the Brac. The Porters sent some breadfruit down for me. They didn't send any soldiers, though we wanted the soldier crab. But they wouldn't send any of them for us. Moses made sure that they wouldn't send them out!

The one thing that I will always remember about Ivan that stands out above everything, was, the beauty of the sky at night. There were no streetlights, it was dark and you sat outside and the sky was so beautiful. In spite of all the devastation around us, the sky was something awesome to look at.

So, let us remember. Let us not forget those hard times because they should be a lesson to us. Let us also remember the togetherness and see if we can reach to that. And, like what the First Elected Member for Bodden Town said, I am reaching across the aisle and asking . . . there are still quite a few homes in West Bay with leaking roofs and have some problems. If you all can help me help them, I would appreciate it.

Thank you, Madam Speaker, for this time. I hope I have not overstayed my three minutes.

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

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

I think you set a very difficult target of three minutes. I think that has been ably demonstrated by all of my colleagues. I suppose my colleague, Minister Archer, says, except him.

[Laughter]

Hon. G. Wayne Panton: I didn't time him, but I think he probably did go over!

[Laughter]

Hon. G. Wayne Panton: Madam Speaker, I don't blame any of them. It is impossible for us to stand here and talk about the impact of Ivan, talk about our recollections and say how thankful we are, literally, within the two to three minutes.

I am actually running a stop-clock to see, but I would like to say . . . I am just starting it now, Madam Speaker, to give myself a head start. Thank you for the opportunity.

Ivan was just one of those defining moments in all of our lives. It was a defining moment in our country. My colleague on my left referred to the way we talk about Ivan is *before* Ivan and *after* Ivan; that is absolutely the case. I actually hope that that will always be the case because there is a great potential for us in the geographic location we are in the Caribbean to have future events, even within our lifetime. I think one of the lessons that we need to learn from Ivan is to continue to be prepared, to remember, as everybody has said, the level of community spirit, co-operation that is necessary for us as a country, as a people, to emerge successfully from an event like that.

I, unfortunately, think it will happen again in our lifetimes. I hope that it will be a very long time from now. Statistically, my hope will be shattered. If you look at the statistics every five and a half years, or thereabouts, Cayman is brushed or hit by hurricane force winds at least for a few hours. I think we all know that we are actually overdue now. Statistically we are overdue.

So, the lesson for us to remember is how we as a country succeeded, how we helped each other, how we were there for each other, because it is possible that we may need to count on those memories and to put that in practice in the future. There are many painful memories. There are many things, or many memories that make us ache for what our people went through, for what our country suffered. The Member for North Side talked about not a single tree having a leaf. I think one of the things it taught me was actually how small our Island is, because I could stand in my front yard and see George Town! I could stand in my front yard and see clear through to Spotts strait.

When we finally got electricity back three months later, it was even more-clear because you could see the full extent of our country. The leaves hadn't all come back by then, and you could see lights in every part of the Island, which you thought was separated by a great deal of distance. We are not conscious about it when we're driving around and we're separated by a lot of growth and trees and buildings. We have a small country, we have a small Island. And the Brac and Little Cayman are, of course, even smaller. We have to remember that. And even though the memories are painful, we have to keep them there and learn from them, and rely on them when we need to.

Madam Speaker, I sent my family to the Brac. I was very fortunate to be able to do that. I am eternally grateful to my friends in the Brac who looked after my family. I never had a thought of public life at that time. But over a period of months I realised what the leaders and representatives of the country must have felt. First I was worried about my family. They were taken care of by good friends in the Brac. They were there for a couple of months, even went to school there. I am eternally grateful.

My next issue worry was about the business, the firm that I was a managing partner in, taking care of them—300-plus staff—worried about how to deal with them, getting them off, bringing in chartered planes, filling those chartered planes with equipment, generators to distribute to staff, to other people. One of the most painful things for me was being at the airport physically loading the plane myself, helping to load the plane with baggage, then realising that we had empty seats (we could have taken on another 20 or 25 people), running into the airport, going out there looking at this massive line of humanity, our own Caymanians who were suffering, with children, infirm-

ties, standing in the heat. And I had to force myself to run along that line of people and make the difficult decision of identifying those people who I thought were probably more in need of getting out of Cayman because of their circumstances. There were some elderly people. There were families with young children.

I remember getting them on that plane, filling every seat and then looking around the plane and realising that there were seats filled by young children. So I then asked the parents of those children to hold those children in their laps. I found more empty seats that way and went and got more people. When that plane took off that day, I sat on the edge of the tarmac there and cried like a baby. It is just one of those defining moments in our lives and I want us all to remember it.

My colleague, the Minister, the First Elected Member for George Town, talked about the same thing. Let's try to reflect what we learned from that and let's try to put it into practice every day of our lives. I would like to encourage all of my colleagues in this honourable House to remember that we have the opportunity every time we are in here to demonstrate that very thing and to do that very thing. Let us be leaders and demonstrate that to the people of this country.

Madam Speaker, I appreciate the opportunity. I know I've gone on. I am about at least three minutes over. I thank you once again. I am happy that Cayman is where it's at. I think that we will have to, as painful as they are, rely on memories in the future to get us through. But I think we are up to it. We have done it before, and I have complete confidence in the people of this country and the leaders of this country now and in the future to be able to do that.

Thank you, Madam Speaker.

The Speaker: The Fourth Elected Member for West Bay.

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

I too would like to give God thanks for sparing us after Ivan. I look at Ivan as a reality check. It reminded me of the days when I was a boy of how close-knit our community was, everybody looked after one another. I share the sentiments of the Minister of Planning in that if it could be done without another hurricane just to bring Caymanians, people who live here, back together for three, four or five months. Just let us appreciate how good God has been to us to bring us back to this point in our lives.

Madam Speaker, I remember it started on Saturday evening. I guess about 9:00 I couldn't get out because the winds were just too strong. I was helping to board up homes for people who couldn't help themselves, after distributing the plywood which

was donated by most of the merchants, the hardware suppliers, that is.

There was a gentleman, Dave Erb, who was building a big complex up at East End. He had a bunch of sheathing and he gave us, I forget how many hundred sheets of sheathing to give people to board up their homes. It is an experience that I will never, ever forget. It is etched on my memory, and I am sure everybody who lived through it will never forget it. But God has been good to us. He spared us.

A lot of people, because of the stress from Ivan, passed away shortly after Ivan. But there were only two lives lost during the hurricane. And we have to give God thanks.

But just to reflect on how much the hurricane brought us together, and just to recognise some people who were exceptionally generous: Mike's Ice sent his ice truck down to West Bay. They parked by the four-way stop and distributed ice free of cost to anybody until it ran out. Anybody could come and get it, one bag of ice each.

The Flowers family sent their tanker truck down to the playfield and everybody could come and bring a five-gallon container and they would fill it up free of charge.

One gentleman I can't forget is (he works for Operation Blessing) Bill Horan. He has a house in North Side. The first Cayman Airways flight that came in here loaded with hurricane supplies, he sent it at no cost to Government, at no cost to us, with chainsaws, generators, tarpaulins, ready-to-eat meals, medical supplies for kids, pampers, as much stuff as the plane could hold. And before I get off of that—before we could recover from the hurricane he had sent ten 40-foot containers of water and Snapple, and blankets and (I just can't even remember half of the supplies); ten 40-foot containers and two 20-foot containers, all to Cayman. He arranged for the shipping. We didn't have to pay for the shipping. Duties were waived at no cost to us. It was distributed throughout the Island as best we could, mostly through the Red Cross. We can't thank that operation, that gentleman, enough because he was an exception.

As far as clearing the roads, Harley Ray Ebanks has a frontend loader backhoe, and he would get in there and try to clear the roads so we could get across, because all the trees were blocking them. Jessie Smith as well, and Alfredo Powery; all of those guys with heavy equipment got out there and didn't ask any questions, they just went to work.

Getting back to the sentiments of the Minister of Finance [about] the helplessness, I remember my son calling me after midnight, just before we lost phone service, and he lives by the water and the water was coming up over his swimming pool, getting into his house and he needed my help. I couldn't get to him. The roads were blocked. I just couldn't get to him. The sense of helplessness with him and his fami-

ly, and some of my other kids besides that, it was an awful feeling.

Madam Speaker, we have to give God thanks. And I thank God every day over my head for sparing us and for keeping us. And, you know, we as human beings are so quick to forget how close we were during the hurricane and as soon as we got the running water back, and the lights back, we all went our separate ways again.

Madam Speaker, I just want to reiterate that we should never forget the blessings of God. Thank you so much.

The Speaker: I recognise the Fourth Elected Member for Bodden Town.

Mr. Alva H. Suckoo, Jr., Councillor of Community Affairs, Youth and Sports, Fourth Elected Member for Bodden Town: Thank you, Madam Speaker, for the opportunity to speak on this occasion. I will also try to be brief.

I remember, and I think the Minister of Financial Services alluded to it, the preparation that I went through when Ivan was taking aim at these Islands. At the time I was the director of IT at the firm where the Minister worked. He was one of my bosses at the time. We spent many hours preparing for that storm. We made sure that the firm and staff were both secured. A lot of work went into that. I remember working with my team at the firm and being in awe of the dedication that I was seeing, because they also had to go home and prepare their homes. But they made sure that they took care of their responsibilities at work so that they could go home and take care of their families with a clear conscience and a clear mind.

I think after we all went home we still didn't really have a good sense of how serious it was going to be. I remember going to the ATM and withdrawing \$100 thinking that would be just enough cash to see me through until the storm passed and everything got back to normal. I think it was three days later I heard a chainsaw up at the top of my road and that was Minister Pantone cutting the bush back so that I could actually drive out of my house and come out into the real world again!

[Laughter]

Mr. Alva H. Suckoo, Jr.: We laugh now, but it was a lesson that I learned. I was prepared at work, my staff prepared, but, personally, I had not prepared. That's one lesson that I will never forget.

I don't think I saw an ATM for about two months.

Madam Speaker, when I did manage to make it out of my home the entire area I was living in at Newlands looked like a bomb blast. And the thing that got me the most was driving at night. I was one of those people fortunate to have a pass so I was able to

break curfew and come out at night. It was just so disorienting. I remember driving and getting lost because all those familiar landmarks that you are so used to seeing . . . you know, we don't go by house numbers, we go by the tree or the house or something familiar. All those things were different, or gone. It was a really eerie feeling. I remember driving and being completely lost for a few minutes, not knowing where I was on this small little Island.

We do have to be thankful. We do have to give thanks to God for pulling us through that experience. I think that experience taught me a lot about myself. It taught us all a lot about ourselves. I learned that I was a plumber, a carpenter, electrician, mechanic, all in one. That was the time we all had to dig deep, help each other, work together.

It is sad to see that in some instances we have lost that camaraderie, that caring about each other. But I think it's still there. I think that at times like disaster, with Ivan and so on, it will re-emerge. I think what we need to do is make sure that we try to remember those lessons learned, and try to remember that if we treat each other as brothers and sisters and neighbours in everything that we do, I think we will be much better off with that.

I have to echo what my colleague, the First Elected Member for Bodden Town said, about remembering that there are those among us who still have not recovered fully from the effects and devastation of Hurricane Ivan. We do have to look out for those people and I urge every Member in this honourable House to bear those people in mind as we go about performing our duties and doing the work we were elected to come here and do.

There are many who are still suffering. There are many who still have not completely repaired their homes. We have a duty and an obligation to look after them.

I think the most important lesson and the most important reminder that I want to leave everyone here with today is the one that I learned personally, to be prepared, because it can happen again. And statistics say it will. So, personal preparation is key for our survival. We have to make sure we are prepared so that we can survive other devastations like Ivan. But working together, I do not have any doubt that we will pull through whatever disasters may come our way.

Thank you, Madam Speaker.

The Speaker: I recognise the Sixth Elected Member for George Town.

Mr. Joseph X. Hew, Councillor of District Administration, Tourism & Transport, Sixth Elected Member for George Town: Thank you, Madam Speaker, for the opportunity this morning to do a bit of reflecting, a bit of remembering where we have been, where we have come to, and to give thanks and appreciation for it.

Madam Speaker, the period during and after Ivan, will stick with everyone for many different reasons. We heard so many of the stories here today. For myself, I had just become the president of the Chamber of Commerce on the 9th (I think it was). I think it was the last event held at the ballroom at the Hyatt. Quite frankly, after making my way into town over the weekend and sleeping the night in the garage of a friend of mine up by the Truman Bodden Complex, and getting my phone charged (because he had a generator), I didn't remember I was the Chamber president until the phone rang and I was summoned to a meeting over at Appleby with the Governor and the Government at the time.

Madam Speaker, that was a very difficult task for me at the time. I remember thinking that my brother and I, once we found a vehicle that worked . . . we had 17 fleet vehicles at the time, and we had 2 that worked. Ironically the two vehicles were because of individuals who we had issued an order that everyone park their vehicles, and these two employees drove them home. So, we were grateful for that!

Madam Speaker, we had to go around and find all of our hundred-and-odd employees. As you would know, throughout our businesses some of our employees are those on the lower end of the spectrum, and we knew that the conditions in the areas they lived in were not the best. Thankfully, we got word out and we were able to account for everyone and start rebuilding and helping those who wanted to get home and mobilising those who were willing to help.

Madam Speaker, my time at the Chamber was a very interesting one. I just want, very quickly, to reflect on that and talk about how we as a community came together. The Chamber of Commerce, which is right next door, was very fortunate. It had no damage and because it's on the main line to the hospital we had power within two days. And very quickly that became the Planning Office, it became a Labour Office, we registered well over three hundred-and something persons who were seeking to assist, or were seeking employment. We housed all of the Planning inspectors at the time, and the amount of persons who wanted to help, the outpouring of help was tremendous.

One of the things I remember was when the announcement came that cruise ships were coming back at the end of November (I think it was). The private sector rallied together under the umbrella of the Chamber and, if you can remember, they cleaned the entire Port area and all the way down the West Bay Road to the Turtle Farm. I saw people out there, from the heavy equipment to people with brooms and dustpans. I don't think the road has ever been as clean as it was when they got through. The funding for that was well over \$600,000 which was 100 per cent donated by the private sector at that time.

Madam Speaker, another important aspect of my life at the time (and still is) the Rotary clubs of Grand Cayman. Again, why I continue to dedicate myself to that organisation, Madam Speaker, once we were able to get word out about the devastation that we suffered here in the Cayman Islands, the Rotary clubs of Grand Cayman together raised through Rotarians and friends of Rotary around the world over \$2 million in cash, not to mention how much things in kind we got. And I am very happy that there were a couple of pages dedicated in the special in today's *Compass*. In fact, I smiled when the Member for East End was speaking because there is a picture in here of the Rotary Club in East End with a sign saying that they [were at] a project in East End.

So, Madam Speaker, it was fantastic to see not only the help, as I talked about, that we saw from the community on the Chamber side locally, but also what the power of reaching out and the power of organisations, such as Rotary, can do in times of need.

Madam Speaker, I also want to reflect back on the way the community was, the way the country was after the hurricane. My mother would always tell me that the Lord will never give me anything more than I can handle. Madam Speaker, we may have questioned that after the hurricane. And there were many days that we all probably thought we could not handle it. And the fact is, we did. And we re-bounded and showed resilience.

Madam Speaker, the Lord generally gives you these things to teach you a lesson. The Lord generally gives you these challenges to say to you that *I am here; I am fair. I am forgiving, but I am a stern God*. Madam Speaker, I think that of many of the messages we heard today that is the one lesson that we may all want to focus on and remember that although it was a terrible event, the Lord gave us the ability and the strength to recover and we should never forget that and continue to encompass that in our daily lives.

Madam Speaker, last December my message at Christmas was not to forget our neighbours, to remember our neighbours over the Christmas period, to drop some food off to those who you think may need it, maybe a couple of gifts. And even though we are just a couple of months away to December again, Madam Speaker, perhaps this anniversary of Hurricane Ivan is a good time for us to remember that, as we heard, when we had no water, no electricity, that there are many of our Caymanians out there today that are living in the conditions that we all lived in after Hurricane Ivan. There are many families out there without power and without water, and, Madam Speaker, may I dare say without food today.

So, I would say to all of us in here, as I know we all do, but to the greater country at large, perhaps let us take the time during this anniversary, maybe over the weekend, to go out around our neighbourhoods, visit our neighbours and check in on them and see who is in need and how we can help them.

Thank you, Madam Speaker. May God bless this country.

The Speaker: I recognise the Second Elected Member for George Town.

Mr. Roy M. McTaggart, Councillor of Home Affairs, Health, Culture, Financial Services, Commerce and Environment, Second Elected Member for George Town: Thank you, Madam Speaker. Mindful of the time, I shall be as brief as I can, but I thank you for the opportunity to reflect upon our country's reflection of the 10th anniversary of Hurricane Ivan.

Madam Speaker, as I sat here and listened to the majority of Members, my eyes have been moist because so much of what has been said, I could shake my head in reflection and say, *Yes, I experienced that; I remember it.*

As people reminisced so much of the emotion and pain and the utter sense of helplessness that we felt during Hurricane Ivan just comes flooding back to us, particularly to me. I just remember that that was the one time in my life I have ever, ever feared for my life.

I heard the Member for North Side reflect and talk about the sound of the wind. I described it like a freight train with me sitting right next to that railroad track because not only was the wind howling, but my home was simply shaking as if I was sitting right next to a rail track. My utter sense of helplessness was compounded by my young daughter who kept screaming to me, *Dad! I am afraid; I'm scared!* And I remember always doing the one thing and only thing that I knew I could do, and that was to embrace her and pray, *God spare us.*

The days following Ivan, I spent at the airport because I was chairman of Cayman Airways. I was able to help so many people get off this Island. Helping, first of all, to board the sick and infirmed, the pregnant, women with young children, and get them on those first flights out. I remember loading baggage, unloading baggage, just helping; and secondly, helping staff of my office to get on a charter flight. I was fortunate enough that my two eldest children were off at university so I didn't have to worry. But I always remember as well, the unity, the camaraderie and sense of togetherness that existed in those months following all of our efforts to try and clean up and get life back to normal for our citizens in this country.

I was proud to have been able to play a minor role. But I know there are many hundreds of people in this country who stood up and helped and provided leadership in ways that are not recorded and will probably never be remembered. But to those of us who know, we are grateful for them and for all that we did.

That time period in the months following Ivan, we were truly our brother's keeper. As I reflect upon things today, my prayer for our country is that we

might remember where we came from, where we are today, and give God thanks. When I reflect upon the devastation that beset us, we are truly fortunate people. And I have to say God truly had His hand in protecting us as well.

Let us remember, and let us give thanks. But as I conclude, Madam Speaker, I don't want to detract from anything we are trying to do here today, but let's also remember too that today is the 13th anniversary of the 9/11 atrocities that afflicted our neighbour to the north. We too were quite significantly affected by those events. And today, like it was back then, we hold hands with them and reflect upon their hardships and the things they have experienced as well.

Thank you, Madam Speaker.

The Speaker: I recognise the Fifth Elected Member for George Town.

Mr. Winston C. Connolly, Jr., Councillor of Education, Employment and Gender Affairs, Fifth Elected Member for George Town: Thank you, Madam Speaker.

This is a bit hard coming behind everyone who spoke before, because a lot of the things that were said were relived in memories or stories of 10 years ago. "Ivan the Terrible," that's what they called it.

I think that it made so many people that were doubters, so many people who have heard the stories of the 1932 Hurricane and couldn't put it into perspective, believers—believers in that Man upstairs, believers in higher powers than any man.

I remember my own take on hurricanes before, having gone through Gilbert and thinking that was the strongest thing I would ever experience in my lifetime. We used to laugh at hurricane days because we'd go out and party the night before, take the next day or two off. You might have to pick up a few pieces of debris, but that was it. And then I remember being stuck in a very low-lying area, having gone to assist and board up someone's house and getting stuck there when the curfew was put down, and I couldn't leave.

Madam Speaker, the night that I spent in that house waist deep in water that I wouldn't even want to imagine what was in it, but not having any other place to go, other than a countertop, and also being separated from my now wife, who was then my girlfriend of about two months, and it made me realise a lot of things. It made me realise that you never want to be apart from loved ones in those types of events because thoughts can almost kill you.

I remember the next day, Madam Speaker, when we emerged. There was a lot of talk around the Island, those people that you could get in contact with, everyone was hearing that hundreds of people had perished and that various districts had gotten washed away and there were bodies in the streets. And the

sheer terror in just thinking about that, and feeling so insignificant . . . I was glad that a lot of those reports were exaggerated. But you can understand in those types of moments . . . and when the graves were washing up, and people were not knowing how to comprehend any of what was going on, because we had never lived that.

It is those things, Madam Speaker, that I would hope people who were here or not here, because we've heard both sides today, take into consideration. It's the not knowing that almost gets you more than knowing.

I remember, Madam Speaker, the outpouring from the international community. We have spoken a lot about people in our own community helping. I, too, like the Sixth Elected Member for George Town, am a Rotarian. I remember going out by boat and meeting supply boats, getting things that were sent [from] overseas and then distributing them. It was that moment as well where you understand where this little hundred square mile group of islands . . . where our reach is. There were a lot of people from all over the world wanting to assist, wanting to get here as quickly as possible. I thank each and every person who recognised or unrecognised . . . because there were also people who wanted to help who wanted to be anonymous. I say 10 years later we are very grateful for their support, we are grateful for their humanity.

Ivan tested us, Madam Speaker. But it also made us stronger. I think, most importantly, it humbled us in the face and grace of God. If we couldn't stop and acknowledge a higher being, if we didn't see that man can build anything and in an instant it can be taken away by some force that we can't understand, then we are deaf, dumb, and blind.

Madam Speaker, I often joke with my parents-in-law now, that Ivan was the defining moment in our relationship. I had the only working car in two families. So, all of a sudden, somebody that I joke, they used to ignore at the dinner table because they were fearful of me courting their daughter, I became almost a son, because they needed me. But that's an inside family joke.

Hon. D. Kurt Tibbetts: I'll make sure to tell Harry that this evening!

Mr. Winston C. Connolly, Jr.: What it did, Madam Speaker, was show as well that those of us who had something, quickly shared it with those that had nothing. And, at the same time, we got something that we could never exchange money for down the road. And I got a wife and a child out of it. So, I am forever grateful just for being a taxi!

But, Madam Speaker, today, is a day of thanksgiving. We should continue to count our blessings and be grateful for our many mercies. Something like Ivan, having experienced that, will always show us, that even in the most perilous of times we human

beings, with the grace of God have the ability to transcend those moments, even when we think it can't get any worse.

If we live to fight another day, we can see how far we can come from those types of moments. I think that each year on September 11th I would ask every single citizen of these Islands to reflect on some of those lessons, to be a bit kinder to our neighbours, and to just remember that together we are stronger and with the grace of God we can accomplish all things.

Thank you, Madam Speaker.

The Speaker: I recognise the Honourable Attorney General.

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

It's good to hear that as far as Councillor Connolly is concerned, out of evil comes forth good, he managed to get a wife and a child!

Madam Speaker, we can now smile 10 years on, but I too had my moments of despair. My son was 21 months old. My daughter was 9 months. We had some terrifying moments. I recall, in the midst of it all, I made the mistake of calling Mr. Kearney Gomez and said to him that my backdoor was breached and water was coming in. I asked him what his views were. He said, *I'm sorry for you. That's the North Sound coming in on you there.* It was one of those responses that I could have done well without. He meant well at the time, of course, but the sheer shock, and so.

Madam Speaker, to sum it up, I would sort of characterise what happened this way: I recall very well the anxiety, the anticipation, and scramble at the onset when we heard it was coming. And we did, as a country, all that we could in mobilising ourselves. Then we experienced the sheer shock of it, the terror that came with that!

Thereafter, it was the despair, the disbelief, the destruction. Thereafter, Madam Speaker, there was a sense of disbelief of what had happened to us. Then, as a country, we quickly realised that we had to get on with our lives. We had to find a way to rise above it. So, we started mobilising ourselves. There was the outpouring of good will, support, the scramble to ensure that there was business continuity plans in place that Government continued to function, that there was law and order.

I recall a clamouring for and the objection to state of emergency and curfew. There were issues about breakdown in law and order, and how long we should keep curfews, or how long we should keep a state of emergency in place. But during all of this we never lost sight of the fact that as a country we needed to find a way to put the pieces back together and get on with our lives. As I think a couple of speakers before me have said, it is a real pity that so shortly after the hurricane and we landed on our feet, that the

good will seemed to all evaporate. But it is still within us as a people to get back to that stage and to move away from the current climate of the *got-you* kind of environment we now find ourselves in. We need to get away from that and so.

Madam Speaker, we could call what happened then a teachable moment in the life of the Cayman Islands. It was, indeed, a teachable moment. It was one of those we hope we don't have to experience again. Certainly, join with those who recognise that we need, like our neighbours in the north, give God thanks that we have again landed on our feet and are moving full steam ahead as a country, as a people. And in all of this we need to continue to invoke the blessings of God Almighty.

Thank you.

The Speaker: I recognise the Honourable Acting Deputy Governor.

Hon. Eric Bush, Acting Deputy Governor: Thank you, Madam Speaker. I also understand that I am the last speaker right before lunch, so I will try to be brief.

As Acting Head of the Civil Service, I think it is warranted that I do say a few words in remembrance of the actions in thanks of those civil servants, but not only the civil servants, the public servants, and the employees of our government owned companies.

I was a police sergeant at the time of Hurricane Ivan 10 years ago. As many speakers have said before me, none of us really knew what to expect. I would believe that true even up to the passing of the hurricane. In fact, I remembered yesterday (as I was thinking and viewing all of the media) that it was about three o'clock in the morning during the passing of the storm. I was staying at my father's house on Crewe Road because my family and I had moved closer to George Town so I could get to work at seven o'clock in the morning. I called my inspector at the time and said, *Sir, I am not able to make it because a roof just landed on my car. So, I am going to have to find another way in.* It still never hit me of what was happening, so I was still expecting to report into work.

After the passing, what I observed, not just in the police force, but for the entire civil service, was truly amazing. Whilst the storm impacted all of us in an individual way, what I saw was the unique coming together as a service for the betterment of the Cayman Islands. We re-grouped as an entire entity. We assessed as a single unit, and we deployed appropriately to get the Cayman Islands back on track through Cayman Airways, through the Police Force, through the Immigration Department, through Planning, all departments within government. We all had that single purpose of getting Cayman back on track. And I think that is what Minister Tibbetts was referring to when he said he wished we could get back to some aspects of our response to Hurricane Ivan. Collectively we didn't

allow the pettiness to get in the way of what was truly important.

So, with that, Madam Speaker, I would like to thank all civil servants and public officials for their efforts in our recovery. The lessons we learned, as the Honourable Premier stated, we have created Hazard Management Cayman Islands, we have legislation in place now that requires all civil service entities to have continuity of operation plans which are reviewed annually. We have annual exercises to test those plans. We have the Doppler radar to better inform us of what weather issues are coming our way and to hopefully better record wind speeds. And, of course, the continued education programme for our community, as some parts of our community was transient. We also need to remember that we need to teach new individuals. I think that as a civil service we do a great job in doing that.

Thank you.

The Speaker: I would like to thank all honourable Members for availing themselves of this opportunity to reflect and recall the memories of Hurricane Ivan as we are now in the anniversary of it.

I also welcomed the intimation that perhaps the Honourable Premier might be making a declaration to that effect. I believe I understood correctly as to the direction the Government would wish to give thankfulness infinitum for many years to come. I believe that would be most appropriate whenever that is shared with the public.

Just from a personal perspective, Ivan started for me on a CPA visit to Quebec Canada with the Honourable Linford Pierson and the former Clerk of the House. Most of you who know me would quite readily recognise that I am an avid weather person and from the time they roll off Africa or roll off South America I am pretty much keeping a keen eye.

Lest we forget, the projection was that Hurricane Ivan was headed for the Island of Cayman Brac. It wasn't until the last minute, as it were, that it changed its course. I remember saying to Mr. Pierson and Wendy [Lauer] that I was heading back south and cutting my CPA conference short. I arrived in Tampa only to be told by Cayman Airways that the flight was full and I couldn't get a seat; never mind you were director and a legal advisor to them at the time! I was able to get a one-way ticket on Southwest into Ft. Lauderdale, being landed as the last flight there, not knowing that a hurricane had made up . . . Hurricane Flora in the Bahamas. I was actually running to the Brac for a hurricane, and ended up spending three days in Ft. Lauderdale because we couldn't get to Miami Airport due to the hurricane that came there.

Eventually, I got to Grand Cayman on the Thursday. I went to see the Governor and reaffirmed what I told all Governors, that any weather over 40 miles per hour, regardless of whether I was in Cabinet or not, I would be heading 90 miles to the northeast,

just to make that clear. I will never forget the little security [gentleman] at the old Glass House saying, *You must be a mad woman.* (I won't call his name) *You're heading into the storm and everybody is seeking shelter.* I said, *Yes, you know we do have a bluff. And we do serve a God.*

My only concern then, because there were very few houses on the bluff at the time, was how I was going to get to Fosters and collect all the goods that I needed to house the many persons. If memory serves me right, we had 89 persons on our property for Ivan at that particular time—all ages, all physical conditions. Thank God for Cayman Airways, the national airline. They allowed me to take 17 boxes of goods to the Brac in preparation.

As the Fifth Elected Member for George Town said, I too had members of my constituency that threw hurricane parties, and there were some 44 of them from what we call Dallas Town. Traditionally, we sheltered on the Brac in the caves at Watering Place; one was Granny Cave and one was an unnamed cave.

I spoke to [a gentleman] whom I refer to as Mr. Kent. Those of you here know who I am talking about. He didn't study weather, but I can tell you he is pretty good at his predictions. When we spoke to him and also the late Captain Lawford Tatum, they were very much convinced that it was not going to hit Cayman Brac long before the officials got the word out. We then started making preparations. The First Elected Member for Cayman Brac and I were both board members of Cayman Airways at the time, and we wish to put on record our heartfelt thanks and gratitude to the late Mr. Linton Tibbetts, as we called him up in Tampa and he graciously sent lots and lots of supplies down.

At the time we did not have the privilege of having our own satellite phones as are distributed now to Members. I remember after going through all of listening to the hurricane and trying to help staff members and Kirky coming on and saying, *Listen we can't send back out the fire truck because we just had an 8 foot wave come down the runway.* That was difficult.

I remember Christine Maltman calling to say that the water was coming up to the first floor of her house and there was the smell of gas, and all of the horrible stories, and stories of my own house top going. You may not realise, but there are a lot of Cayman Brackers in Cayman. A lot of them happened to be at my house at the time and as the reports came in about their children, we literally had a mother who fainted in my kitchen when she heard that her son's roof had blown off.

It was one of those things that we were forced to come to that focal point. We as Caymanians can come together and rally around, but not just as Caymanians, because I use that very wide; persons who come and live and have their being in here.

I remember getting to Cable and Wireless to ask a former manager if I could use her satellite

phone to call a former client of mine from my other life (as it were), and I spoke to Mr. Hugh. He was flying from Houston to Stewart, Florida. At the time he said he had eight members of his staff with him. And he asked if I could give a list of what we needed for hurricane supplies. Of course, I rattled it off, because that's my life; I love weather.

He just asked one thing, if we could waive the landing fees and refuel him when he came. I had lost contact with Grand Cayman so it took an executive decision that, yes, we would do that. Luckily those days we could do those things to save people's lives. And he landed and he sent his team, doing basically an assessment.

The First Elected Member and I had pretty much decided that since we were spared we would store up the things at the airport at Cayman Brac and then have a quick transfer to Grand Cayman once the airport was there. Then we hit another problem as we spoke to the head of Civil Aviation. We realised that their clearance from Grand Cayman wasn't there. We didn't have the proper radio channels. And he didn't have a cell phone, believe that or not, at that time. So, I bought a cell phone from Cable and Wireless and gave it to him. The first plane was landed in Cayman Brac using a cell phone with the help of our brothers and sisters in Jamaica to get it landed.

It was the happiest news to my ear, and I am sure to the ear of the First Elected Member, when we heard back from Ritchie that they had walked the airstrip in Grand Cayman and felt that the express which we had sent down to Central America was able to come back in.

I remember being on the first flight in. Even though I had heard the stories and the cries, I could not wrap my mind around the magnitude of the damage that had actually happened in Grand Cayman. As I flew over East End, I just could not contain the state of emotion and the tears that just flowed as I saw the great, colossal devastation from East End right into George Town. Of course, I wanted to head to East End as I hit there because I have family members and friends, but you couldn't get through Bodden Town for the sand and everything.

My brother was able to send down a couple of his construction workers to try to help my house because I had asked Darrell in my haste to get to Cayman Brac and throwing down everything to put up the 17 sheets of plywood on my house. Of course, they called and said that Mark Scotland, former Minister, wanted to find out if he could get a sheet of the plywood to help an old person in Bodden Town. Of course, I said yes.

Well, as fate would have it; that was the door that flew open in my house and caused a third of my roof to go! I say that just to say this: The door that actually went was to my library. Another thing that those of you who know me would know is that I am an avid book reader. I saved everything from primary school

on up. But, one of my most precious treasures was my six years of law school notes and books that were in the library. And here I was worrying about what was going to happen to them, how I could restore that.

For those of you who are still not quite sure whether or not there is a God, let me tell you that there is, because when I did eventually get home the next day (because when I came in I had to go straight to ExCo which was at Appleby's at the time with Huw Moses and, I believe, Dinwiddy was the Governor), the first thing I did was look into my library and I kid you not—you can go to my library now in the Brac and not one single one of those books in the room to which the door blew off and the roof went, got wet. How it happened? There is no real explanation but it did happen.

I wish to give credence and public acknowledgement that indeed, He hath founded us upon the rock. And it gives me great pleasure to hear Members of Parliament today stand up, official and elected Members, and reflect, and the common thread expressed implicitly was how Almighty God was able to come through, because he has no geographical or sociological or financial barriers. Minister Tara Rivers and Minister Archer, although they were not on Island, still had that steadfast anchor in knowing that all would be well if we put our trust and faith in Him.

Before I put my other hat on of preaching, let me just sincerely express my gratitude, because what you may not have taken the time to appreciate was that all of what has been said here today has been recorded in our Hansards. I would ask Madam Clerk if she would graciously offer them into the archives so that in years to come we would have a purely non-political presentation of what Members felt at the time.

Just for those who prepare, an element that we ought to include is those Caymanians who were outside of the jurisdiction during national disasters to ensure that, whether it is our London office or Washington office, or Hong Kong, or wherever we may have offices, that even if we close to the media for whatever reason, we get information out to them as soon as possible, because they served as very necessary suppliers of goods that came in. Churches from Florida, and everyone that had a contact with a Caymanian made sure that we were well taken care of.

The other aspect would be for those of us who come in from the Brac (now it's the Honourable Deputy Premier and I and, in years to come there will be others), but that it is not forgotten in the bigger scheme of things. I remember the first night coming in, I didn't have time to think that I needed a pass for curfew and it wasn't until the meeting had finished late into the night, and it was in the darkness, and here I was with three Jamaican construction workers that I didn't know that my brothers loaned to me to fix my roof. My sister, my son who had flown in, just parked

out in the middle of Appleby wondering where they were going to go that night.

Like the Fourth Elected Member for Bodden Town, the street signs weren't there. I wasn't quite sure where I was going. There were rumours of looting. Of course, I was a woman. We don't carry guns in Cayman, or Cayman Brac for that matter, legally anyway. It was not a good feeling.

I really thank God, though, for that opportunity because it hummed me to a place to realise that there were perhaps thousands of our immigrant workers here in a similar frame of mind as to, *Where do we turn?* So, as we plan and move forward, if we would, address our minds to some of those things that may slip by the way.

I also wish to go on record thanking the Honourable Chief Justice who, after two months of going up and down to East End trying to keep the country alive, and my family having sent five generators, all of which were stolen at the airport, he passed one night and saw that I was in darkness and graciously volunteered a generator for me to use. For the first couple of weeks I literally stayed in my vehicle, and that was after having taken in my ex-husband, some tourists that I met at Kentucky Fried Chicken who had just gotten here to the Island honeymooning. I bought some tickets and took them to the Brac because they were staying in the apartments across from Kentucky [Fried Chicken], never knew where to go and could not get out of the Island. I never knew whether they were missionaries or murders, we just took them in. That's the Deputy Premier's "Caymankind", I suppose, in operation.

Also, Ms. Cassie's son who was staying in Mr. Biggie's apartments, she called because it had washed away, and I took him in. There were all different personalities within the House that normally we would not want on any given day. But it shows that when we go through a struggle, we do not look at the outward appearances. All of those barriers that hinder us in our daily walk are neutralised by the power of the One who made the universe.

I hope that as we go forward, as we debate, as we evolve, as we mature as a democracy, that we would be able to say, hitherto, the Lord has brought us.

I thank you for allowing me this opportunity to share my own experiences as I have listened to yours.

Madam Clerk, if we could move on to the next item of business.

PRESENTATION OF PAPERS AND OF REPORTS

**PORT AUTHORITY OF THE CAYMAN ISLANDS
FINANCIAL STATEMENTS YEAR ENDED 30 JUNE
2013.**

The Speaker: Honourable Minister of District Administration, Tourism and Transport.

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

I beg to lay on the Table of this honourable House the Financial Statements year ended 30 June 2013 for the Port Authority of the Cayman Islands.

The Speaker: So ordered.

Does the honourable Deputy Premier wish to speak to it?

Hon. Moses I. Kirkconnell: Madam Speaker, just to invite all honourable Members to have a look at it for themselves. Thank you.

INFORMATION AND COMMUNICATIONS TECHNOLOGY AUTHORITY FINANCIAL STATEMENTS YEAR ENDED 30 JUNE 2013

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Madam Speaker, with your permission I beg to lay on the Table of this honourable House the Information and Communications Technology Authority Financial Statements year ended 30 June 2013. And let me just say, Madam Speaker, there are two more statements that I am going to lay, and I will have no speech to make about them. I just ask Members to have their own read as they are all self-explanatory. Thank you.

The Speaker: So ordered.

NATIONAL HOUSING DEVELOPMENT TRUST FINANCIAL STATEMENTS 30TH JUNE 2012

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the National Housing Development Trust Financial Statements for year ending 30th June 2012.

The Speaker: So ordered.

ELECTRICITY REGULATORY AUTHORITY FINANCIAL STATEMENTS ENDED 30TH JUNE 2013

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Electricity Regulatory Authority Financial Statements for year ending 30th June 2013.

The Speaker: So ordered.

ANNUAL REPORT OF THE OVERSIGHT COMMITTEE OF THE OFFICE OF THE COMPLAINTS COMMISSIONER 2013/14

The Speaker: Elected Member for North Side, Chairman of the Oversight Committee.

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

I take great pleasure, joy, in laying the Annual Report of the Oversight Committee of the Office of the Complaints Commissioner, 2013/14.

The Speaker: So ordered.

Does the honourable Member wish to speak to it?

Mr. D. Ezzard Miller: Just briefly, Madam Speaker.

I invite all Members, especially the Members on the Government Bench, to read the report in its entirety and, in particular, the Minutes attached to the report. They will find therein the proof to absolve me as chairman of the committee, who they so willingly and enthusiastically vilified in the meeting in Cayman Brac because I did what the committee asked me to do—move a motion to debate the whistle-blowing report.

The Minutes will clearly show that my moving of that motion, as chairman, was fully authorised, supported and instructed by the committee so to do. The Minutes clearly record who moved the motion, who seconded the motion and who voted on the motion to have the chairman move a motion in accordance with Standing Orders to have the whistle-blower motion debated.

So, Madam Speaker, I hope, I even pray, that they will take the opportunity to see that I am not the troublemaker, nor the villain, they like to paint me when I do what I am asked to do in accordance with the rules of Standing Orders which allow us to function in this House so much better when they are followed and not ignored.

Thank you, Madam Speaker.

STANDING BUSINESS COMMITTEE REPORT— SIXTH MEETING OF THE 2013/14 SESSION OF THE LEGISLATIVE ASSEMBLY HELD IN CAYMAN BRAC

The Speaker: I recognise the Honourable Premier, Minister of Home and Community Affairs, Chairman of the Standing Business Committee.

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

I beg to lay on the Table of this honourable House the Report of the Standing Business Commit-

tee, Sixth Meeting of the 2013/14 Session of the Legislative Assembly held in Cayman Brac.

The Speaker: So ordered.

Does the Honourable Premier wish to speak to it?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker. Thank you.

**STANDING BUSINESS COMMITTEE REPORT—
THRONE SPEECH AND BUDGET ADDRESS,
FIRST MEETING OF THE 2014/2015 SESSION OF
THE LEGISLATIVE ASSEMBLY**

The Speaker: Honourable Premier, the Honourable Minister of Home and Community Affairs, Chairman of the Standing Business Committee.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Standing Business Committee on the Throne Speech and Budget Address, First Meeting of the 2014/15 Session of the Legislative Assembly.

The Speaker: So ordered.

Does the Honourable Premier wish to speak to it?

The Premier, Hon. Alden McLaughlin: No, Madam Speaker. Thank you.

The Speaker: Before you take your seat Honourable Premier, may I invite you to move the suspension of Standing Order 23(7) and (8) so that we can entertain questions beyond the hour of 11:00 am?

I am actually going to lunch after suspending, in the event the Honourable Premier might not be able to come in at the beginning thereafter.

**SUSPENSION OF STANDING ORDER
23(7) AND (8)**

The Premier, Hon. Alden McLaughlin: Madam Speaker, I beg to move the suspension of Standing Order 23(7) and (8) in order for questions to be asked beyond the hour of 11:00 am.

The Speaker: The question is that Standing Order 23(7) and (8) be suspended to allow questions to be asked beyond the hour of 11:00 am.

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

Ayes.

The Speaker: The Ayes have it.

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

The Speaker: We will now break—
Honourable Premier?

SUSPENSION OF STANDING ORDER 14(3)

The Premier, Hon. Alden McLaughlin: Madam Speaker, as you indicated, I may not be back in at the precise hour because I have another meeting. With your indulgence, I would like to move the suspension of Standing Order 14(3), notwithstanding the fact that today is Thursday, and Private Members' Motion day, that Government Business is allowed to take precedence over the Private Members' Motions.

I should just quickly explain to all Members of the House, that the Government wishes to deal with the three Bills which we believe will be dealt with swiftly, and the Government Motion, and complete the Government Business and then the balance of this meeting of the Legislative Assembly can be devoted to the 10 Private Members' Motions that we have, rather than having a break in between.

The Speaker: The question is that Standing order 14(3) be suspended in order for Government Business to take precedence over Private Members' Business.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Standing order 14(3) suspended.

The Speaker: We will now take the luncheon break and reconvene at 2:15 pm.

Proceeding suspended at 12:58 pm

Proceedings resumed at 3:03 pm

The Speaker: Please be seated.

Proceedings are resumed.

Before we took the luncheon break we had concluded item 3. We will now move to item 4.

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

**QUESTION 1: CAYMAN AIRWAYS CREW
DUTY FREE ALLOWANCE**

Mr. D. Ezzard Miller asked the Honourable Minister responsible for Finance and Economic Development: Can the Hon. Minister state what section of the Cus-

tom Law or Regulations is being used by Customs to prevent Cayman Airways crew from enjoying the duty free allowance on alcohol, cigarettes and cigars and also the CI\$350.00 duty allowance for personal effects enjoyed by all other Caymanians?

The Speaker: I recognise the Honourable Minister of Finance and Economic Development

Hon. Marco S. Archer: Section 5 of Schedule 2 of the Customs Tariff Law, 2012, states that the CI\$350 duty-free allowance is applicable to the prescribed baggage and household effects that accompany a passenger through Customs.

A passenger is defined as a person who is travelling from one place to another in a car, bus, train, ship, airplane, et cetera, and who is not driving and working on it.

By definition, airline crew are not passengers and therefore are not entitled to the duty allowance.

As per section 3E of the Customs Policies Manual, which is entitled "Crew's Personal Effects", members of the crew of an aircraft coming from abroad must declare to the Customs all goods they have obtained abroad or on board the aircraft during the flight.

Crew members are not entitled to the duty free allowances available to passengers, but in certain circumstances may be allowed to retain small quantities of goods without payment of duty, at the discretion of the Customs Officer. Dutiable goods not eligible for this concession must either be cleared by payment of duty or deposited in a place of security pending re-exportation.

SUPPLEMENTARIES

The Speaker: Elected Member for North Side.

Mr. D. Ezzard Miller: Just one supplementary question: Is "passenger" intended to include airline crew travelling, not operating the plane, but just travelling as passengers—not as extra crew, travelling as a non-rev passenger.

The Speaker: Honourable Minister of Finance.

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

Yes, that would be correct. If the airline employee is not a part of the crew of the aircraft, and are like any other passenger, they would then be entitled to the same allowance.

The Speaker: Elected Member for East End.

Mr. V. Arden McLean: Madam Speaker, this question goes a little outside of the substantive question and answer, but I wonder if the Minister can tell us why the Customs officers, where you have to pay your duty,

the computers are never working. You have to wait there for manually generated receipts. Is there something being done to try and speed that up to get passengers through?

The Speaker: Honourable Minister of Finance, the question, as indicated by the questioner, is outside the ambit, but you can exercise your discretion if you wish to respond.

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

I will respond to the question from the Member for East End.

The Member is correct. There are times when the printer in the Customs Hall may have some problems. But they are aware of that and I think they are making efforts to correct it. So, we acknowledge that there is an issue and they are trying to improve on that. Just this morning we spoke about the actual printer itself. Sometimes . . . I think recently there was an issue with the TRIPS [PHONETIC] software installed recently. It was actually the TRIPS system, as opposed to the printer. But the problems have been identified and they are correcting. Thank you.

The Speaker: Elected Member for East End.

Mr. V. Arden McLean: Thank you, Madam Speaker.

My last supplementary for the Minister is, in that we are talking about allowances, Madam Speaker, I want to commend the Minister on much of what has been transpiring there in recent times, identifying passengers and trying to identify those who are trying to evade. But I have noticed that it is not applied straight across the board wherein members of the public walking through with five suitcases while other members of the travelling public are scrutinised to the extent that they really should be I believe. And I am wondering if there is some lack of training straight across the board, so to speak, and if the Minister is aware of it, and if he is planning on doing anything about that.

The Speaker: Honourable Minister of Finance.

Hon. Marco S. Archer: Madam Speaker, the Customs Department is trying to improve and increase the rate at which they continue to train their officers. So that has recently become recognised as a priority for them.

But, Madam Speaker, as to the issue of some walking through the Customs Hall with what appears to be large quantities of luggage and others being stopped when they would presumably have less, as a law enforcement agency I presume that they may be employing some type of profiling in whom they select, or it just may be a random system where they may choose one and not the other. Or, it may be the case that some people are just getting through. But I will

speak to the Collector and try to ensure that all passengers are treated equally and fairly and, of course, that we do our best to prevent any evasion of duty or illegal importation of any contraband or otherwise unwanted substances in the country. Thank you.

The Speaker: We can move on to the next question.

QUESTION 2: IMPORTATION OF INTOXICATING LIQUOR IN EXCESS OF ONE GALLON

Mr. D. Ezzard Miller asked the Honourable Minister responsible for Finance and Economic Development: Can the Hon. Minister state what section of the Customs Law or Regulation or the Liquor Licensing Law and Regulations is used by Customs to confiscate a case of rum or other liquor from Caymanians for their personal use unless the person has a liquor license?

The Speaker: Honourable Minister of Finance.

Hon. Marco S. Archer: Madam Speaker, section 10(10) of the Liquor Licensing Law (2000 Revision) states: “**No person may import into the Islands intoxicating liquor in excess of one gallon unless he is the holder of a licence.**” And, therefore, that is the reason why they would otherwise confiscate.

SUPPLEMENTARY

The Speaker: Elected Member for North Side

Mr. D. Ezzard Miller: Madam Speaker, realising that the Minister is not responsible for the Liquor Licensing Law, but this is rather inconvenient for many Caymanians travelling. Most people do not know about it until they arrive at the airport because it is not publicised.

I am wondering if the Minister would speak to the Minister responsible, with a view of amending this part of the Liquor Licensing Law to allow Caymanians to import for their own personal use more than one gallon of liquor, because there are Caymanians now who collect wines and want to bring in a case of wine, and they have no idea of this, and it's getting confiscated.

To me, it is very draconian in this day and age. Years ago when it was only two or three licensed importers . . . and the other reason I would ask him to lobby the Minister responsible is because I think this is undue protection for those people who have liquor licence to import liquor.

The Speaker: Honourable Minister of Finance.

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

I would undertake to raise a discussion in caucus or with the Minister responsible for the Liquor Licensing Law and the Board, so that we can see if

there is anything that can be done. Thank you, Madam Speaker.

QUESTION 3: REDUCTION IN GOVERNMENT'S PENSION LIABILITY

Mr. D. Ezzard Miller asked the Honourable Minister responsible for Finance and Economic Development: Can the Hon. Minister state what has been the reduction in the pension liability of Government by the switch from a defined benefits plan to a defined contribution plan for the Civil Service?

The Speaker: Honourable Minister of Finance.

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

I will lay out the circumstances as I understand them in answering the question: On 1 January 1992 the Public Service Pensions Board (the “Board”), was established. The Board is a legal entity that is separate to the Government of the Cayman Islands (the Government).

The Board's responsibilities include, but are not limited to, administering the Government-sponsored Public Sector pension plans which consist of: the Public Service Pensions Plan; the Parliamentary Pensions Plan; and the Judicial Pension Plan.

With respect to civil servants, the Government makes pension contributions to the Public Service Pensions Plan (the Plan).

The necessity of pension arrangements was recognised in 1963. The Public Service Pensions Fund (the “Fund”), was established on 1 January 1990, the purpose of which was to accumulate pension contributions and receive investment income which would be used for the eventual payment of pensions, which were then being paid out of Government's General Revenue.

The establishment some 28 years after the Public Service Pension Plan commenced in 1963 is one of the primary reasons for the present actuarial deficiency with respect to the Plan.

After taking into account the contributions and earnings of the Fund, benefits could not be paid out of the Fund during the 1990s since it was not capable of meeting its projected liabilities.

In 1999, a significant change was made to the Public Service Pensions Law: effective 1 January 2000, civil servants joining the Plan were placed on a Defined Contribution pension arrangement. This change was introduced in recognition of the fact that participants under the Defined Benefit Plan were accruing benefits that outstripped the pension contributions to, and the investment income being earned by, the Fund. It was unsustainable to allow all civil servants to continue being placed on the Defined Benefit part of the Plan.

The actuarial deficiency with respect to the Plan arises from the Defined Benefit part of the Plan

and it is definitely the case that the change mentioned previously, stemmed a further increase in the actuarial deficiency that would arise from allowing continued entry into the Defined Benefit part of the Plan.

The most current finalised actuarial valuation, with an effective date of 1 January 2011, indicated that the deficiency of the Plan was CI\$165.86 million. The 1 January 2011 actuarial valuation of the Plan took into account the following data:

- 2,834 participants on the Defined Benefit part of the Plan; and
- 3,727 participants on the Defined Contribution part of the Plan.

Of the 2,834 participants on the Defined Benefit part of the Plan, 1,255 participants were receiving pension benefits; 436 participants had deferred vested pension benefits; and 1,143 were active participants.

Of the 3,727 participants on the Defined Contribution part of the Plan, 196 participants had deferred vested pension benefits; and 3,531 were active participants.

It would be incorrect to extrapolate solely on the basis of the number of participants in the Defined Benefit and Defined Contribution Plans to arrive at a figure for the possible reduction in the pension deficiency that resulted from the closure of the Defined Benefit part of the Plan.

A detailed and precise actuarial valuation exercise is required to produce an accurate figure for the reduction in the pension liability that arose from the decision to introduce new participants to the Defined Contribution part of the Plan on 1 January 2000.

The Board's actuary has been asked to provide an estimate of how much they were charged to undertake such a calculation. Once that estimate is received, if the amount is not cost-prohibitive, the exercise will be undertaken. Thank you, Madam Speaker.

The Speaker: If there are no supplementaries, we will move to the next item on the Order Paper.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

The Speaker: I recognise the Honourable Minister of Finance and Economic Development who received approval to make a statement at this time.

ECONOMY OF THE CAYMAN ISLANDS

Hon. Marco S. Archer: Madam Speaker.

What I hope to convey by making a statement is that we are in a stage where the economy is rebounding, it's growing. Unemployment is declining,

and inflation is holding steady. So, on the macro level things are looking good.

The economic performance of the Cayman Islands' indicates modest growth and shows an economy that is on a sustainable recovery path. Gross domestic product or GDP expanded by 1.5 per cent in the first quarter of 2014. Caymanian employment grew by 6.1 per cent in 2013 indicating that more Caymanians are being hired. Inflation rates have slowed down and remain relatively low. Merchandise imports grew by 9.4 per cent in the second quarter of 2014.

Madam Speaker, the Cayman Islands' First Quarter Economic Report 2014 shows that the country's annualised GDP at constant prices expanded in the first three months of 2014 at an estimated rate of 1.5 per cent as compared to a contraction of 0.6 per cent in the first quarter of 2013.

Greater economic growth occurred in a number of sectors, including wholesale and retail trade; hotels and restaurants; transport storage and communication; real estate, renting and business activities; and the construction sectors.

Work permits declined by 2.9 per cent which may in part reflect efforts to improve Caymanian employment.

The local financial services industry exhibited mixed results in the first three months of 2014. Upward movements were recorded for insurance of 2.5 per cent and new company registration of 20.7 per cent. However, contrasting performance was recorded for banks and trusts which declined by 4.5 per cent, mutual funds excluding the new category "master funds" declined by 2.6 per cent, and stock exchange listings [declined by] 12.1 per cent.

Madam Speaker, this is all consistent with what happens in the first quarter of the year as companies would have liquidated in the latter months of the previous year, or deregistered.

In the tourism sector, total visitor arrivals increased by 2.5 per cent compared to a year ago. Air arrivals grew by 5.2 per cent on the back of double-digit growth of the European and Canadian markets while cruise arrivals staged a 2.0 per cent improvement. Madam Speaker, construction indicators showed mixed performance, with the value of building permits increasing by 57.9 per cent traced mainly to the Kimpton Hotel project.

Madam Speaker, turning now to the Cayman Islands' Labour Force Survey Report 2013, shows that in 2013 the population of the Cayman Islands was estimated at 55,691 comprised of 32,765 or 58.8 per cent Caymanians, and 22,926 or 41.2 per cent non-Caymanians.

In 2013, the total labour force totalled 38,483 where the Caymanian labour force grew by 4.9 per cent while the non-Caymanian labour force fell by 6 per cent. Caymanians comprised 50.2 per cent of the

labour force while non-Caymanians accounted for 49.8 per cent.

Total employment in 2013 was estimated at 36,070 persons, lower by 0.9 per cent compared to 2012. Caymanian employment grew by 6.1 per cent while non-Caymanian employment declined by 6.7 per cent. In the work force, Caymanians accounted for 48.5 per cent of total employment and the non-Caymanians for 51.5 per cent.

The unemployed labour force in 2013 stood at 2,413, reflecting an overall unemployment rate of 6.3 per cent. The unemployment rate for Caymanians declined to 9.4 per cent from 10.5 per cent in 2012. In contrast, the unemployed among non-Caymanians increased by 23 per cent resulting in an unemployment rate of 3.1 per cent.

So, Madam Speaker, what we are seeing is a decline in the unemployment rate for Caymanians and an increase in the unemployment rate for non-Caymanians. So, it is an improvement in that ours is coming down and the other is rising.

[Inaudible interjection]

Hon. Marco S. Archer: Responding to my colleague across, it's because we track—

[Inaudible interjection]

Hon. Marco S. Archer: Turning now to the Consumer Price Index (CPI) for the second quarter of this year, that being as at June 2014, shows that in comparison to June 2013 there was modest increase in the June 2014 overall CPI of 0.7 per cent as a result of price movements for a number of divisions led by restaurants and hotels. The restaurants and hotels sector was driven by a 15.8 per cent rise in the average cost of accommodation rates. So, there we see a simple case of demand and supply at work, because there is an increase in the number of air arrivals, when the price for stay over accommodations would have increased during the high season; hence, what is reflected here.

Other divisions which contributed to the modest inflation rate include household equipment (7.5 per cent), transport (3.4 per cent), and food and non-alcoholic beverages (2.4 per cent). Again, approximately 90 per cent of our imports are from the United States. So, if they are experiencing inflationary pressure, of course, the price is then passed on to us as we import those as well. So, hence the reason for those divisions there, reflecting an increase.

Four divisions dampened the overall inflation during the quarter: miscellaneous goods and services declined by 2.7 per cent, housing and utilities declined by 1.4 per cent, health services declined by 0.2 per cent, and alcohol and tobacco declined by 0.2 per cent.

As compared to the first quarter of 2014, the 2014 second quarter CPI increased by 0.2 per cent. This is partly driven by the 1.2 per cent rise in the index for housing and utilities due to a rebound in actual rentals for housing which increased by 3.4 per cent after 10 consecutive quarters of decline.

There was a decline in accommodation rates of 41.8 per cent which lowered the hotels and restaurant price index by 8.9 per cent and dampened the overall quarter-on-quarter inflation comparison.

Madam Speaker, the Cayman Islands' Quarterly Trade Statistics Bulletin: April to June 2014 shows that in the second quarter of 2014, total value of imports grew by 9.4 per cent to reach CI\$196.1 million, CI\$16.9 million higher than the CI\$172.9 million recorded for the same period in 2013.

Non-petroleum products accounted for 77.4 per cent of total imports, increased by 8.7 per cent, while petroleum products recorded a slightly higher increase of 12.2 per cent.

The growth in non-petroleum products was broad-based as all major groups except for machinery and transport equipment recorded increases. This was led by the largest group of food and live animals, which grew by 21.1 per cent to reach CI\$40.1 million. Within the food category, meat and meat preparations and dairy products were the main items that recorded significant increases.

The classification of imports by Broad Economic Categories shows that during the second quarter of 2014, consumer items grew at double-digit rates. Food and beverages, which contributes 23.8 per cent to total imports, grew by 20.9 per cent. Other consumer goods grew by 47.5 per cent.

In conclusion, Madam Speaker, the Cayman Islands economy continues to grow at a modest pace. The Government's continued efforts to stimulate business in the Cayman Islands and promoting work programmes for Caymanians will further contribute to the growth of the economy and reduce the overall unemployment rate.

The economic and statistics reports outlined above are available on the website of the Economic and Statistics Office at www.eso.ky.

Thank you Madam Speaker.

GOVERNMENT BUSINESS

BILL

SECOND READING

GRAND COURT (AMENDMENT) BILL, 2014

The Clerk: The Grand Court (Amendment) Bill, 2014.

The Speaker: I recognise the Honourable Attorney General, responsible for Legal Affairs.

Hon. Samuel W. Bulgin: Thank you, Madam Speaker.

I beg to move the Second Reading of The Grand Court (Amendment) Bill, 2014.

The Speaker: The Bill has been duly moved.

Does the Honourable Attorney General wish to speak thereto?

Hon. Samuel W. Bulgin: Thank you, Madam Speaker.

I rise to present a Bill in its long form, which is, a Bill for a law to amend the Grand Court Law (2008 Revision) in order to provide for interim relief in the absence of substantive proceedings in the Islands; and for incidental and connected purposes.

Madam Speaker, the Bill seeks to give effect to recommendations contained in the final report of the Law Reform Commission which, among other areas, sought to examine the issue of facilitating interim orders in aid of foreign proceedings. The proposed amendment is but one part of a package of legislation being formulated to enhance the manner in which foreign judgments are enforced in the Cayman Islands.

The other part of the Bill, the Foreign Judgments Reciprocal Enforcement (Amendment) Bill has been published but subsequently deferred pending further consultation with stakeholders. So, in that regard we thought it prudent to proceed with the Grand Court (Amendment) Bill, given that it is of equal importance as we strive as a jurisdiction to enhance our system of justice in this global village in which we function.

There is no doubt that other jurisdictions rely on the existence of our modern legislative framework to determine whether the Islands can be viewed as an attractive location to conduct international business and facilitate the resolution of legal proceedings in an expeditious and efficient manner. So, this particular Bill, this particular amendment, concerns the ability of the Grand Court to grant certain interim relief of a freestanding nature.

Madam Speaker, the Grand Court (Amendment) Bill contains legislative proposals intended to empower the court in the exercise of its discretion to facilitate proceedings that have commenced in a foreign superior court. This will be done by enforcing any legitimate order made for interim relief in circumstances where there is no substantive cause of action originating from within the Cayman Islands.

Accordingly, Madam Speaker, the proposed Bill primarily provides for the following:

It permits the Grand Court to make an order appointing a receiver, or granting other interim relief in proceedings which have been or are to be commenced in the court outside the Islands and are capable of giving rise to a judgment which may be enforced in the Islands under any Law or a common law.

The Bill also defined “interim relief” to include an interlocutory injunction and it permits the Court to grant interim relief of any kind which it has power to grant in proceedings relating to matters within its jurisdiction of the Grand Court itself.

The Court also has discretion to attach conditions to any interim order that it so made. Not surprisingly, it also empowers the Court to refuse an application for appointment of a receiver or for the grant of any other interim relief if, in the Court’s opinion, it would be unjust or inconvenient to approve the application for such relief.

In making an order, it requires the Court to have regard to the fact that its power is ancillary to proceedings that have been or are to be commenced in a place outside the Islands; and are for the purpose of facilitating the process of a court outside the Islands as well.

It also permits the Court to retain the same power to make any incidental order or direction for the purpose of ensuring the effectiveness of an order granted under the legislation, as if the order were granted in relation to proceedings that were commenced within the Cayman Islands itself.

Of course, Madam Speaker, like with most of these jurisdictional issues, the Court may make rules applicable to an application for appointment of a receiver or for the interim relief and for the service process outside of the jurisdiction.

As with any other consultation process, the Government considers all recommendations of stakeholders. Indeed, the proposal in this Bill has been the subject of wide stakeholder and public consultation amongst the judiciary and the private bar, in particular. It has also benefitted from the legislative and judicial experiences of several other jurisdictions which have dealt with this issue—Jersey, Isle of Man, BVI, to name a few, and, of course, the UK.

Madam Speaker, I am therefore pleased to report that these proposals have received consensus from amongst all stakeholders. And we thank all those who took the time to make submissions and express their views.

Madam Speaker, in conclusion, the enforcement of foreign interim relief measures is, at this time, primarily an issue of judicial discretion, and, of course, based on growing precedence and reliance on general principles of what we call comity and common law. It is an issue which arguably calls for legislative intervention. Such intervention will have the effect of facilitating certainty in the application of the law and ultimately assist in the development of a business friendly environment for the recognition and enforcement of interim remedies.

Madam Speaker, with your leave, in furtherance of the point I just made, may I just quote from a judgment of the Grand Court in the matter of VTB Capital PLC, which is Grand Court Cause No. 141 of 2011 from the Financial Services Division of the

Grand Court? It is a judgment by Justice [Hon. Sir Peter] Cresswell in dealing with this very issue about the ability of the Grand Court to grant interim relief.

He made the following observation: “**The public policy of the Cayman Islands clearly requires it to operate so as to assist foreign courts and to prevent the jurisdiction becoming a safe haven for wrongdoers.**”

He continued, Madam Speaker: “**There are very sound policy reasons why the courts in the Cayman Islands should have the power to grant a free standing injunction against defendants who use the financial services industry of these Islands, so as to prevent the abuse of our financial services industry for improper activities. These policy considerations justify a departure in the common law jurisprudence of the Cayman Islands from that of the U K.**”

So, Madam Speaker, this is a welcome reform of the law to further give legislative underpinning to the powers of the jurisdiction of the Grand Court, if you will. So, I would certainly urge Members of this House to give the Bill favourable consideration.

Madam Speaker, for what it is worth, I would be happy to lay a copy of the judgment on the Table of the House.

The Speaker: Please proceed.

Hon. Samuel W. Bulgin: Thank you, Madam Speaker. I so propose.

[Laid on the Table a Judgment of the Grand Court of the Cayman Islands In The Matter of VTB Capital PLC and Konstantin Malofeev, et al.]

Hon. Samuel W. Bulgin: The relevant passages are pages 10 and 11, lines 46, 47 of page 10; and lines 7 to 12 of page 11 of the judgment. Thank you.

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

If not, I will call upon the Honourable Attorney General if he wishes to exercise his right of reply.

Hon. Samuel W. Bulgin: Thank you, Madam Speaker, and thanks to colleagues for their support of the proposal in the Bill.

The Speaker: The question is that a Bill shortly entitled the Grand Court (Amendment) Bill 2014 be given a second reading.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Grand Court (Amendment) Bill, 2014 given a second reading.

BILL

SECOND READING

MUTUAL FUNDS (AMENDMENT) BILL, 2014

The Clerk: The Mutual Funds (Amendment) Bill, 2014.

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

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

I beg to move the Second Reading of a Bill entitled the Mutual Funds (Amendment) Bill, 2014.

The Speaker: The Bill has been duly moved. Does the Honourable Minister wish to speak to it?

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

I rise to present this Bill on behalf of the Government. It is a clean-up exercise relating to a fee which had been included in 2012 as part of the then Government's revenue raising measures.

The Mutual Funds (Amendment) Bill, 2012, amended the Mutual Funds Law (2012 Revision) to introduce this annual licence fee for non-resident mutual fund administrators. It also required non-resident mutual fund administrators to file an annual return for any regulated mutual funds that they regulated.

Madam Speaker, the amendments were enshrined in the new Mutual Funds Law (2013 Revision) as section 18A, and in the Mutual Funds Fees Regulations (2013 Revision) as section 9A. It was envisaged that this measure would both raise revenue for the Cayman Islands Government as well as encourage non-resident mutual fund administrators to re-domicile in the Cayman Islands. However, the conclusion was that we were unable to implement any of these provisions in respect of non-resident mutual funds administrators due to several issues that arose.

The non-resident mutual funds administrators' filing fee requirement and fee was also included in the Private Sector Consultation on Revenue Measure Revisions which was issued in August 2013 by my Ministry. The responses to this consultation indicated that this original proposal that had been included in the Law was not feasible and that we needed to effectively amend the provisions to remove them. Following further discussions with the financial services industry, the conclusion was that this was an appropriate course of action. This is also in line with feedback that

we have had from the Cayman Islands Monetary Authority.

The Bill is, therefore, structured as follows:

Clause 1 of the Bill sets out the short title of the legislation.

Clause 2 amends section 2 of the principal Law to delete the term “non-resident mutual fund administrator”.

Clause 3 provides for the repeal of section 18A. The section provides that a non-resident mutual fund administrator is required to file an annual declaration with the Monetary Authority, and pay the prescribed fee to the Authority on or before 31st January of each year.

As I said, Madam Speaker, the conclusion after further consideration was that it was not feasible to collect this fee.

Thank you, Madam Speaker. I commend this Bill to my colleagues in this honourable House.

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

If not, I once again call upon the Minister of Financial Services if he wishes to respond.

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

I appreciate the acceptance of this honourable House in respect to this clean-up exercise on the Mutual Funds Law.

The Speaker: The question is that a Bill entitled The Mutual Funds (Amendment) Bill, 2014, be given a second reading.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Mutual Funds (Amendment) Bill, 2014, given a second reading.

BILL

SECOND READING

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

The Clerk: The Merchant Shipping (Amendment) Bill, 2014.

The Speaker: Honourable Minister of Financial Services.

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

I beg to move the Second Reading of a Bill entitled The Merchant Shipping (Amendment) Bill, 2014.

The Speaker: The Bill has been duly moved. Does the Honourable Minister wish to speak to it?

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

I am happy to present this Bill on behalf of the Government seeking to amend the Merchant Shipping Law (2011 Revision) to make ship registration fees payable to the Cayman Islands Maritime Authority rather than to the Cayman Islands Treasury, and to make provision for incidental and connected matters.

Madam Speaker, the Bill reflects Government's decision to reclassify the registration fees from coercive revenue to entity revenue to direct it to the Maritime Authority. This will allow the Maritime Authority to operate more efficiently and effectively and, more importantly, to be able to operate in a competitive manner within the international shipping market.

The Bill is structured with:

Clause 1 sets out the short title;

Clause 2 amends section 462 of the principal Law to the effect that registration fees for ships shall be payable to the Maritime Authority rather than to the Treasury.

In terms of the competitive aspect, Madam Speaker, this will allow the Maritime Authority to, for example, make concessions and offer packages on fees for vessel registrations where the value of the vessel registration on an ongoing basis to the Maritime Authority itself, will far exceed, or may far exceed the value of the ship registration fees. So, it will enable them to effectively offer some competitive packages as other jurisdictions do by offering discounts on the registration fees, because these are upfront fees and it allows the ongoing fees that may be payable over a considerable period of time or the balance of every year for crew changes and licensing and whatnot, for the Maritime Authority to benefit from that.

Thank you, Madam Speaker. This concludes my presentation. I commend this Bill to my colleagues in this honourable House.

The Speaker: Does any other Member wish to speak?

I recognise the Elected Member for East End.

Mr. V. Arden McLean: Madam Speaker, whilst I appreciate the Minister's contribution and his presentation of this Bill, I didn't hear him talk about the fee that is prescribed by the Maritime Law. As far as I know that is a scheduled fee that is required for them to charge. And when fees are prescribed by law they are required to go into the general revenue.

If that is the case, where we are now removing the section that has to be to allow them to manage that money, if there is a requirement now to change that fee schedule that was initially legislated by this Legislature at some stage, this, in itself, does not necessarily remove that requirement for it to be paid into general revenue. I wonder if in his response he could explain to us how in his view this removes that requirement for that to be paid into the government in that the government has been subsidising MACI [Maritime Authority Cayman Islands] for all these years, and the intent would be now for them to have total control over those monies, and, at the same time, I guess we subsidise them.

My concern is the requirement for a legislative, structured schedule that is required to be paid into government and how we get past that for them, as an authority, to be able to utilise that money.

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

If not, I will call on the Honourable Minister of Financial Services for his reply.

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

I do not have, unfortunately, the principal Law before me. But the Bill seeks to amend section 462(1) of the Merchant Shipping Law (2011 Revision) by repealing paragraph (a).

My understanding is that paragraph (a) is the provision which directs that this revenue is collected by the Maritime Authority and directed to the Treasury. There are other fees relevant, which are paid and are existing entity revenue provisions for the Maritime Authority. The fee level in this area, the aggregate annual fee level is somewhere in the region of, I think it's around \$150,000. So, it is not a considerable amount. But the Board of the Maritime Authority feel that given the level of competition that exists and the types of approaches they have seen in the shipping market in terms of offering competitive packages, one of the approaches would be to offer some structured combination of a discount to registration fees while benefitting with the growth of the tonnage and the fees generated by that.

[Inaudible interjection]

Hon. G. Wayne Panton: Well, we will have to see.

[Inaudible interjection]

Hon. G. Wayne Panton: Madam Speaker, unfortunately, as I said, I do not have the principal Law to hand, so I really can't add much more at this point on that particular issue which the Member has raised.

The Speaker: The question is that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2014, be given a second reading.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Merchant Shipping (Amendment) Bill, 2014, given a second reading.

The Speaker: The House will now go into Committee to consider these three Bills.

House in Committee at 4:02 pm

[Hon. Juliana Y. O'Connor-Connolly, Chairman]

COMMITTEE ON BILLS

The Chairman: Please be seated.

The House is now in Committee. With the leave of the House may I assume that, as usual, we should authorise the Honourable Attorney General to correct minor errors and such the like in these Bills?

Would the Clerk please state the Bill and read the Clauses?

GRAND COURT (AMENDMENT) BILL, 2014

The Clerk: The Grand Court (Amendment) Bill, 2014.

Clause 1	Short title and commencement
Clause 2	Amendment of section 11 of the Grand Court Law (2008 Revision) - jurisdiction vested in the Court
Clause 3	Insertion of section 11A- interim relief in the absence of substantive proceedings in the Islands

The Chairman: The question is that clauses 1 through 3 stand part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 3 passed.

The Clerk: A Bill for a law to amend the Grand Court Law (2008 Revision) in order to provide for interim relief in the absence of substantive proceedings in the islands; and for incidental and connected purposes

The Chairman: The question is that the Title stands part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Title passed.

MUTUAL FUNDS (AMENDMENT) BILL, 2014

The Clerk: The Mutual Funds (Amendment) Bill, 2014.

Clause 1	Short title
Clause 2	Amendment of section 2 of the Mutual Funds Law (2013 Revision) - definitions
Clause 3	Repeal of section 18A of the Mutual Funds Law (2013 Revision) - non-resident mutual fund administrator obligations

The Chairman: The question is that clauses 1 through 3 stand part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 3 passed.

The Clerk: A Bill for a law to amend the Mutual Funds Law (2013 Revision) to repeal the provisions relating to non-resident mutual fund administrators; and to provide for incidental and connected purposes.

The Chairman: The question is that the Title stands part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Title passed.

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

The Clerk: The Merchant Shipping (Amendment) Bill, 2014

Clause 1	Short title
Clause 2	Amendment of section 462 of the Merchant Shipping Law (2011 Revision) - payments to be made into Treasury

The Chairman: The question is that clauses 1 and 2 stand part of the Bill.

All those in favour please say Aye.

Ayes.

Mr. V. Arden McLean: Which one is that, Madam Chairman?

The Chairman: That's the Merchant Shipping Amendment Bill.

Mr. V. Arden McLean: Yes, well, Madam Chairman, the Minister couldn't respond to me in my contribution to this. One of the reasons was that he didn't have the Law to compare it to. But my question to him was: If there is a fee schedule that has been legislated, how do we get around removing this section where it has to be paid into government and do not have to remove that schedule? That is a legislated provision in that Law. If it is in the regulations, then there has got to be a provision in the Law which says that the fee can be made by Cabinet.

The Chairman: Honourable Minister?

Hon. G. Wayne Panton: Madam Chairman, as I have indicated, I do not have the principal Law, and we seem to be having difficulty getting a copy.

The Chairman: Let me just say for the record, Honourable Minister, I know for sure that a copy is in the House because as we approve it, we compare it. So, if you just give the staff a minute, we should have it here. I don't want to give the impression that there is none on the premises.

Hon. G. Wayne Panton: As I understand, Madam Chairman, repealing paragraph (a) will have the effect which the Member is raising the question on.

Mr. V. Arden McLean: Madam Chairman, I don't know if the Attorney General can assist in this regard, but if a fee structure is put there by legislation which is legislated, what was being said by the Minister was that if we remove that provision, as I understand it, then MACI people will have more flexibility with concession, so to speak, for certain things. But if a fee structure is in place by legislation, they cannot charge any less than that. By law they are required to do it, even if it is in secondary legislation by Cabinet by virtue of the provisions in the Law, then I don't see how, if we are removing them paying it to government, will negate that fee structure and then they will be able to charge less. I don't see how that would work.

The Chairman: Honourable Attorney General?

Hon. Samuel W. Bulgin: Thank you, Madam Chairman.

While the Minister is checking the Law, the obvious implication is that usually the schedule is amended by Cabinet, not necessarily by the Legislative Assembly. So, if the enabling provision that deals with the schedule is amended, then, clearly, what that means is that should there be a different fee structure being contemplated by MACI, in conjunction with Cabinet, Cabinet can, in fact, vary the schedule itself without the principal Law requiring amendment by this House.

The Chairman: Member for East End.

Mr. V. Arden McLean: Madam Chairman, I see where the Attorney General is going, however, there are many times when that schedule is part of that Law.

Hon. Samuel W. Bulgin: The schedule—

Mr. V. Arden McLean: No, no, there are times when Cabinet is given the right through legislation to make a schedule of fees. And there are times when the fees are legislated by law. Now, which one is it? If it is by Cabinet, then Cabinet can amend those and is required to amend those now because of the intent of changing this so that the revenue doesn't have to match what is in the schedule. But certainly, Cabinet will be required to do it now. If it's by Law, this Legislature had to repeal that also.

The Chairman: Honourable Minister of Financial Services?

Hon. G. Wayne Panton: Madam Chairman, section 462(1) of the Merchant Shipping Law (2011 Revision) reads:

“The following sums shall be paid into the Treasury-

- (a) registration fees comprising fees for-**
 - (i) the first registration of a ship;**
 - (ii) the registration of a demise chartered ship transferred in;**
 - (iii) the registration anew or re-registration of a ship;**
 - (iv) the interim registration of a ship;**
 - (v) the transfer of registration of a ship between British Registers;**
 - (vi) registration under the issue of a provisional certificate of registry;**
 - (vii) the registration of a ship under construction; and**
 - (viii) the registration of the transfer or transmission of ownership of a ship;”**

Those are the fees which are relevant. And that is the aggregate of the fees which we are talking

about in terms of the proposal to repeal this paragraph (a).

Madam Chairman, what I am having some difficulty with is identifying exactly where the fees are set. The Law itself is a very substantial law. It has two schedules, one of which sets the instruments and documents for which forms are to be prescribed, and the other sets the standard scale of fines. So, it does not appear that the Law itself has a schedule in respect of the fees to be charged for the items listed under section 462(1)(a).

I would imagine in that . . .

The Chairman: Is there any provision, Honourable Minister, for the fees to be set by regulations in the statute?

Hon. G. Wayne Panton: That is what I was trying to locate specifically. If you can bear with us for a moment, we might be able to locate it.

The Chairman: Certainly.

Hon. G. Wayne Panton: It seems likely that that is the case, given that it is not set out in the Schedule to the Law.

The Chairman: Member for East End.

Mr. V. Arden McLean: Madam Chairman, whilst we are waiting for the Attorney General to do his research, I wonder if the Minister can tell us if the intent is that MACI will be given the authority to negotiate fees so that it becomes more competitive. Am I correct in what I have heard? Did I hear that?

Hon. G. Wayne Panton: Madam Chairman, my understanding is that given the current construct of the Law under which MACI operates, they will have that discretion once this provision is repealed which directs this revenue specifically to the Treasury.

Now, assuming they do have that discretion, the intention is to do that, to give them the flexibility to be able to offer more competitive packages in order to compete on fees with competitors in the international shipping market and ship registration market.

Mr. V. Arden McLean: That is cutting them loose. But my thing is that even if the fees are in secondary legislation, which is your regulations; it still has to be repealed. By regulation it would have been made by Cabinet, so Cabinet still has to repeal that, because it's secondary legislation.

Hon. Samuel W. Bulgin: Yes, well, you are correct in that sense. But, Madam Chairman, section 459—

[Inaudible interjections]

The Chairman: Honourable Attorney General, did you have anything further to add?

Hon. Samuel W. Bulgin: Yes, Madam Chairman. Thank you.

Just as I contemplated, section 459 of the Law says, “**(1) The Governor**” (in this case, the Cabinet) “**may make regulations prescribing fees to be charged in respect of- Fees, regulations and scale of fines (a) the issue or recording under this Law of any certificate, licence or other document; or (b) the doing of any thing under this Law.**”

It would appear from this that the fee structure is enshrined in the regulations. And those regulations, like the schedule, are subsidiary legislation made by Cabinet. So, if there’s going to be any variation to the fees and fee structure, it will be done by Cabinet pursuant to those regulations.

The Chairman: Member for East End.

Mr. V. Arden McLean: So, Madam Chairman, can the Attorney General tell me if I am correct in saying that those fees have to be changed, whether they are being paid into Treasury or not?

Hon. Samuel W. Bulgin: Madam Chairman, there are two issues here. There is what is called the enabling power to levy the fees and where the fees are paid into. In this case, the Law says the fees must be paid into Treasury. The amendment, as I understand, is saying that the fees must be paid to the Authority. It does not have anything to do with the variation of the fee or anything. Okay? So there is still a fee structure; the only issue is where it goes to, whether it goes directly to government Treasury, or it goes to the Authority. It is no different from, probably, the Airport Authority collecting licensing fees and so on.

The variation of the fees, the fee structure, like the Civil Aviation Authority and the Airport Authority, they would determine the fee structure in consultation with Cabinet. Invariably, Cabinet has to give approval for the fee structure. I suspect that’s what happened in this case as well.

The Chairman: Member for East End followed by the Member for North Side.

Mr. V. Arden McLean: Madam Chairman, I think the Attorney General may be misunderstanding what I am trying to get at, since that word has been kicked around here for the last couple of days.

The express intent of this amendment by the Minister is that because they have no flexibility, they have to pay the money into Treasury and Treasury expects one for one when they do their accounting. This is what I am getting from the Minister. They want it not to be able to be paid in there so they can have some flexibility in the reduction of those fees to be-

come more competitive with places throughout the world, registrations throughout the world.

I am asking, even though we have now established that it is Cabinet that works together with them to develop the fees, and the fees are placed in secondary legislation, do we not now have to repeal those fees, or change them to show what will be collected? Because the Law still says they have to collect fees. That’s all I am asking.

The Chairman: Honourable Minister.

Hon. G. Wayne Panton: Madam Chairman, I apologise to the House. I was just having a quick discussion with the Attorney General.

My understanding is that this will facilitate the Maritime Authority being in a position to set the fees in respect of the items which I read that were proposed to be repealed by this amendment Bill, and that within the existing framework of the Merchant Shipping Law (2011) is a mechanism through which the Maritime Authority itself can set these fees by publication of a shipping notice.

What I am uncertain about is whether that has to be specifically approved by Cabinet or whether in terms of the mechanism which the—

Hon. Samuel W. Bulgin: Madam Chairman, just to follow up on the Minister’s point, to the extent that these fees are fixed by regulation, the Cabinet has to approve those regulations.

Mr. V. Arden McLean: Absolutely!

Hon. Samuel W. Bulgin: Only the Cabinet can approve those regulations—

Mr. V. Arden McLean: And that is secondary legislation.

Hon. G. Wayne Panton: There is no disagreement there.

Hon. Samuel W. Bulgin: —so they have to come there.

The Chairman: Member for North Side. But before you say that, perhaps if we could address that, Members, in your response or questions, as two separate issues; one is the collection of the fees; and one is the setting of the fee.

Mr. V. Arden McLean: Absolutely.

The Chairman: Member for North Side.

Mr. D. Ezzard Miller: Madam Chairman, they can only collect what they set.

I think the point we are trying to make is that the argument put forward by the Minister in moving the Bill was that it was necessary to transfer the funds to MACI in order for them to be able offer package deals, and reduce certain fees to put this package.

The point we are trying to make is that once MACI gets Cabinet to legislate through regulations a fee, MACI cannot alter that fee. So, either we need to fix the Law so that MACI sets the fees for certain things based on market conditions and repeal the requirement that Cabinet set the fee.

The point we are trying to make is that we don't think he can achieve what he is trying to achieve in giving MACI flexibility to vary fees if there is a fee prescribed in regulation, because MACI has no authority to vary that fee, unless they are going to change the regulations per customer.

Hon. Samuel W. Bulgin: Madam Chairman—

The Chairman: Honourable Attorney General.

Hon. Samuel W. Bulgin: Yes, Madam Chairman, the amendment being proposed by the Honourable Minister is not inconsistent with the view being expressed by the two Members. The convention has always been where the fees are going to be approved by Cabinet, the Authority, the entity, will be given the remit to discuss and put proposals for a fee structure. Those recommendations arising from those discussions can either be rejected or accepted by Cabinet. If they are accepted by Cabinet it becomes the fees set in the regulations.

The only remit that MACI would have is to discuss a proposed fee structure and then put that forward to Cabinet as a recommendation for Cabinet to determine whether or not to accept those recommendations. So it is a sort of a partnership exercise, if you will, and hence my earlier expression that the fee would be developed in consultation with, so it will be discussed by MACI and agreed upon in consultation with Cabinet. Of course, Cabinet would approve it in the end.

So, it is no different from what happens now with some of the other Authorities. They would make a determination as to what, given the competitive nature of whatever it is they are involved with, they would determine what would be an appropriate fee structure or fee level. They would put that as a recommendation to Cabinet and Cabinet would agree or disagree.

Mr. V. Arden McLean: So, Madam Chairman, for every customer they get they would have to go to Cabinet. That's what I am trying to avoid.

If the regulations now, Madam Chairman, have a fee schedule that was agreed, like he went through, between MACI and Cabinet, Cabinet set those numbers, now the Minister is saying that MACI wants the flexibility that they can negotiate with any

new customer whatever renewal or whatever to maintain competitiveness out there in the market, they cannot come every week to Cabinet to alter that fee to get approval so that they can go and do it.

What needs to happen is the Law says, and it should say, that Cabinet *may* make regulations, the fees, and list the fees. If that's the case, we need to repeal those fees and if the Cabinet wants to do it later on, Cabinet needs to repeal those fees, and if they want to make it later on the provision is still left there. But you can't have MACI going out there and coming back every couple of days asking Cabinet to give them approval for a particular amount. You can't.

The Chairman: Honourable Attorney General.

Hon. Samuel W. Bulgin: Madam Chairman, I defer to the Minister, but I certainly didn't get the impression from what he said that you are going to have different vessels negotiating or bartering for different fees. I would imagine, given the nature of the business, you would have a range of fees for a particular set of vessels.

For example, if it's a vessel of a particular tonnage you would have an arrangement where MACI can say, given the competitive nature of what happens in Bermuda, the Bahamas, or whatever it is, *We need to lower our fee structure to make it \$50.00 less.* And Cabinet would say, *Okay, we agree that a vessel of this tonnage, we are going to reduce the fees to X amount* and that sort of thing. So, it is a variation of the fee structure, really, as opposed to one paying \$59.00, one paying \$58.00, and one paying \$57.00.

Do I understand you correctly, Minister?

Hon. G. Wayne Panton: Madam Chairman, the briefing that I was given, unfortunately, was that they were looking for greater flexibility. Now, it could very well be that what was meant by that was that they were approaching the issue from the perspective that the Attorney General has outlined. It could also be that they are, indeed, looking to have the ability to negotiate fee levels in respect of the registry fees.

There are regulations which specifically address this issue. My understanding is that, as I indicated earlier, the Maritime Authority will have discretion to publish these fees. I am getting a copy emailed to me. They will have the discretion to publish these fees by virtue of this shipping notice and, therefore, they can from time to time change these fee levels.

Now, that suggests to me that it is likely that they will be varying these fee levels for different classes of vessels.

The Chairman: Member for East End.

Mr. V. Arden McLean: Madam Chairman, we better get this straight, and I am merely trying to be helpful. We need to get this straight. We need to find out the

regulations and see what is in the regulations, because if those fees are fixed, they can't move them unless Cabinet approves it.

Hon. G. Wayne Panton: Madam Chairman, there is no disagreement in respect to that principle. For our purposes here I think we have established that the fees are not set out in a schedule to the Law and, therefore, there has to be regulations relevant, which would be dealt with by Cabinet.

Mr. V. Arden McLean: So, then it begs the question: Why are we changing it to say that they don't have to pay it into government? Because all we needed to do was agree to allow them to set the fees, or whatever the case may be, and pay straight into government like it's supposed to do. I think we are putting the cart before the horse.

Why are the fees, the people's money that are supposed to be the Treasury's, Minister of Finance, are we allowing them to deal with it?

Hon. G. Wayne Panton: Madam Chairman, I think there is an important point. I am fairly certain that we had that discussion during Finance Committee on the Budget in June, where it was noted that this proposal existed and that the level of support granted by Government to the Maritime Authority in respect of services and the purchase of outputs from the Maritime Authority in respect of services, would be reduced by an amount equal to the level of revenue being transferred from Government to the Maritime Authority in respect of this particular amendment being sought.

The Chairman: Member for East End.

Mr. V. Arden McLean: Madam Chair, if they have the flexibility to reduce it, then we are back to square one. We are worse off, because if we are reducing the subsidy and they are not able to make their coercive revenue and reduce it, they are going to be worse off.

[Inaudible interjections]

The Chairman: Honourable Minister?

Hon. G. Wayne Panton: Madam Chairman, I fully appreciate and understand the points being made by both Members from the districts of North Side and East End. But I think the point is that the Maritime Authority feels that having this requirement removed from the Merchant Shipping Law (2011) to pay this fee specifically into Treasury, and having the discretion under regulations which will allow them flexibility to provide more competitive registration packages to the shipping market, will, in fact, generate further business or more business for them, and thereby generate additional revenue which exceeds the level of dis-

count that has been granted in order to encourage that business or entice that business.

The Chairman: Member for North Side.

Mr. D. Ezzard Miller: Madam Chairman, I am real worried now, because when you look at the 10 year history of this Authority based on their accounts that have been tabled here and their reports, it's not a beautiful picture. I happen to have from pretty good sources that they have taken a decision quite recently to move their health insurance from CINICO to a private health insurer that's going to cost an additional, close to CI\$90,000 a year.

I still think the point we are trying to make is a valid one. Unless you are going to amend the regulations to say this is the prescribed fee, but the Maritime Authority has the authority to discount this fee, depending on market conditions, but then Cabinet is not setting a fee.

Mr. V. Arden McLean: Cabinet can't delegate it.

[Inaudible interjections]

The Chairman: Honourable Minister, would you like five minutes to consult further with your group? It seems like we're going in circles right now.

Hon. Samuel W. Bulgin: Madam Chairman, two things: I don't think . . . I mean, I certainly defer to you, but I do not think the issue before this House as it relates to the amendment being proposed by the Minister, necessarily needs to detain this committee as to the fee structure. This amendment simply just deals with where the fee should go. That amendment before the House currently deals with where the fee should go, it doesn't deal with the utilisation of the fee, the setting of the fee or anything. That's a separate exercise altogether.

I am sure at some stage the Honourable Minister can have discussion with my two colleagues about that particular issue, but for the purpose of this exercise before this committee, I am not so sure that we need, with the greatest of respect to them, to detain ourselves with that other issue. It is really a collateral issue to what we are trying to do here.

Mr. V. Arden McLean: Madam Chairman.

The Chairman: Member for East End.

Mr. V. Arden McLean: With the greatest of respect, let me disabuse the Attorney General now. Okay?

He says it is not about the utilisation of the fees. This House is responsible to the people of this country and with the greatest of respect it has to do with the 18 Members that are duly elected—it has

nothing to do with him! I agree with him. That's why he needs to stay out of it!

[Inaudible interjection]

Mr. V. Arden McLean: No, with the Attorney General. It has nothing to do with the Attorney General's position.

Hon. Samuel W. Bulgin: Madam Chairman.

The Chairman: Members!
Honourable Attorney General.

Hon. Samuel W. Bulgin: Madam Chairman, one thing anybody in this House can tell you, during all my years here I have always been striving to be courteous to Members, never got personal with anybody. And I don't think it is helpful, or necessary, for the Member to get personal about the issue. I am simply stating my position.

I think we can have a civil discussion about it without him descending into the personality.

Mr. V. Arden McLean: Madam Chairman—

Hon. Samuel W. Bulgin: I have a right under the Constitution to be in the House, to make a contribution to whatever discussion is taking place here.

Mr. V. Arden McLean: Madam Chairman—

Hon. Samuel W. Bulgin: He was the one who invoked—

The Chairman: One Member at a time, please.

Hon. Samuel W. Bulgin: —my assistance, if you recall, in the debate.

Mr. V. Arden McLean: Madam Chairman—

The Chairman: Member for East End—

Mr. V. Arden McLean: —let me put it this way—

The Chairman: Please can I just finish? And then you commence.

Please ensure that when you make your remarks that you do not condescend into personal statements. The Honourable Attorney General is here as his Constitutional right and he at no time enters or leave these Chambers in a personal capacity. So, I am sure that you are more than capable to address it from that vein. You have a point which you have been elucidating throughout these proceedings, and I would invite you to continue to expound on them as you have so commenced.

Mr. V. Arden McLean: Madam Chairman, let me . . . let me—

Hon. G. Wayne Panton: Madam Chairman—

Mr. V. Arden McLean: Let . . . you wait one minute please.

The Chairman: I heard a voice, but I didn't see you.

Mr. V. Arden McLean: Madam Chairman, let me apologise if the Attorney General took that personally. However, I take it personally from the Attorney General when he says it has nothing . . . with the greatest of respect, this committee need not bother itself with it, because it is a responsibility of Cabinet and MACI with regard to the fees, because—

[Inaudible interjection]

Mr. V. Arden McLean: Well, if that is not what he said, I would like him to clarify it because it is a separate exercise, but involves the Members of this honourable House because this House enables Cabinet, this House legislates laws for the collection of revenue for the people of this country. And the distribution of that revenue and that resource just happens to be the responsibility of Cabinet which comes from here.

Madam Chairman, in this exercise I was merely trying to be helpful. I was merely trying to ensure that this House was doing the right thing. I do not understand since they are two separate things, why we are taking the monies that are supposed to go to the people then, and the explanation that the Minister gave is in order that Government does not have to subsidise them any further.

Now, it is the responsibility of this honourable House to ensure that it is done in a proper manner, and I have a responsibility to uphold as well. Therefore, I am questioning where and how it is going to be done. And I am being told that it is not something that this committee needs to be bothered with.

The Chairman: Honourable Deputy Premier.

Hon. Moses I. Kirkconnell: Madam Speaker, can we have a five minute break, please?

Hon. G. Wayne Panton: Madam Chairman, I think I can provide the necessary clarity at this point without our having to go for a break, but I will defer to your discretion.

The Chairman: Five minutes is the request, so I think I will accede to that at this time.

Proceedings suspended at 4:43 pm

Proceedings resumed 4:50 pm

[Hon. Juliana Y. O'Connor-Connolly, Chairman]

COMMITTEE ON BILL

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

[Discussions continued on clauses 1 and 2]

The Chairman: The committee has now resumed.
Honourable Minister of Financial Services.

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

I apologise for having to have a protracted discussion on this matter. I have now obtained the relevant regulations. I think we have satisfied ourselves that the fees which are currently coercive fees paid into the Treasury and which are proposed to be moved to the Maritime Authority by virtue of repealing section 462(1)(a) of the Merchant Shipping Law (2011 Revision). These fees are set out . . . sorry, the discretion to set these fees is set out in the Merchant Shipping (Fees) Regulations, 2014.

Regulation 5(1) of these regulations provides as follows: "**The Chief Executive Officer may, in accordance with the policies of the Authority, and in relation to non-coercive revenue, fix the fees and charges for services, and make any dispositions in relation thereto in accordance with the policies of the Authority.**"

Regulation 5(2) says, "**The fees and charges referred to in paragraph (1) shall be published by the Authority.**"

Madam Chairman, I think that clarifies that the representations I have indicated earlier, without the benefit of having the regulations specifically to refer to, were accurate to the extent that it allowed the Maritime Authority to set and publish these fees separate and apart from Cabinet and, certainly, that these fees were not set out in the schedule to the Law.

I hope that that goes some way, if not fully, to satisfying the Members questions on this particular point.

The Chairman: Member for East End.

Mr. V. Arden McLean: Madam Chairman, can the Minister tell us again what is the title of those regulations?

Hon. G. Wayne Panton: The Merchant Shipping (Fees) Regulations, [2014].

Mr. V. Arden McLean: Can I have a copy because these do not have it?

Hon. G. Wayne Panton: These Regulations have not been published yet. The amendment was being made

to the Law and the Regulations will be published simultaneously or contemporaneously with the amendment coming into effect.

Mr. D. Ezzard Miller: The 2011 Regulations?

Hon. G. Wayne Panton: The 2014 Regulations.

Mr. V. Arden McLean: Okay, so my other question is, how are they going to be flexible with it and publish them? They will be publishing them every time there is a change from one . . . they could negotiate for a change, a concession on one and in the next couple of weeks they would do another one and they would publish that too? They would have to make a new set, I guess.

Hon. G. Wayne Panton: Madam Chairman, the language of the Regulations which I specifically referred to, and that being regulation 5(1), does say that the Chief Executive Officer may, in accordance with the policies of the Authority (and I am paraphrasing) fix the fees and charges for services, and make any dispositions in relation thereto in accordance with the policies of the Authority.

These fees per regulation 5(2), the fees and charges referred to shall be published by the Authority. So, I think what the Regulations are seeking to do, once published, is give the Chief Executive Officer of the Maritime Authority discretion or some degree of flexibility in order to set competitive packages to attract additional business, additional revenue-earning business for the Maritime Authority by offering these fee changes, reductions in some cases.

Mr. V. Arden McLean: Madam Chairman.

The Chairman: I will allow two more questions and then I will put the question.

Member for East End.

Mr. V. Arden McLean: Madam Chairman, you know this thing of trust . . . the word "trust" has been flying around this Parliament too often. And this thing of Arden McLean or the Member for East End being a troublemaker flies around here too often too.

This, I was just told that those Regulations will be gazetted simultaneous to the changes in that. I was just handed the Merchant Shipping (Fees) Regulations, 2014, Supplement No. 2, published with Extraordinary Gazette No. 55, dated 25 July, 2014. Made in Cabinet the 15th day of July 2014.

[Inaudible interjections]

Mr. V. Arden McLean: Madam Chairman, you know what? *Unna* go ahead and do as *unna* please.

[Inaudible interjections]

The Chairman: Member for East End, would you just repeat the date? I was conferring with the Clerk.

Mr. V. Arden McLean: Madam Chairman—

The Chairman: Did you say it had been gazetted, or it is to be gazetted?

Mr. V. Arden McLean: “Supplement No. 2, published with Extraordinary Gazette No. 55, dated 25 July, 2014”, and “Made in Cabinet the 15th day of July 2014. Meredith Hew, Acting Clerk of the Cabinet.”

[Inaudible interjections]

The Chairman: Honourable Minister of Financial Services, can you take this matter any further?

Hon. G. Wayne Panton: Madam Chairman, I don't think I can take it any further at this point. The Member for East End has referred to a document that I do not have in my hand. I am not sure about the timing on that, I would have to resolve that issue separately.

I understand that if there is an issue, Madam Chairman, I do not think, strictly speaking, that this issue is something which needs to be resolved by this committee. If there is an issue with this in terms of timing of the Regulations versus the amendment to the Law, we can certainly resolve that.

Hon. Moses I. Kirkconnell: Madam Chairman, could we have a suspension again please?

The Chairman: Ten minutes?

The committee is suspended for 10 minutes.

Proceedings suspended at 5:05 pm

Proceedings resumed at 5:31 pm

[Hon. Juliana Y. O'Connor-Connolly, Chairman]

COMMITTEE ON BILL

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

[Discussions continued on clauses 1 and 2]

The Chairman: Before we took the break I think the Member for East End had asked a question, is the Honourable Minister in a position to add any more to it? I had said we would entertain one more question.

Honourable Minister?

Hon. G. Wayne Panton: Madam Chairman, for the sake of clarity, my understanding is that the question which was raised by the Member for East End was in respect of the Merchant Shipping (Fees) Regulations, 2014, and the fact that they were gazetted on 25 July

2014, and that that was obviously prior to the amendment we are seeking to bring here today.

If I have omitted anything in respect of that summary, perhaps the Member could clarify, otherwise I will go on to respond.

[No audible reply]

Hon. G. Wayne Panton: Thank you.

Madam Chairman, the Bill, as we know, seeks to repeal section 462(1)(a), that subsection sets out coercive fees which are paid to the Treasury. In my earlier responses to the Member on his questions, I indicated that the intention was that these Regulations (which I did not have to hand at the time) would be published contemporaneously with the amendment to the Law. We now know that they were published ahead of that on 25 July.

There were made pursuant to section 459 of the Merchant Shipping Law (2011) which the Honourable Attorney General had read to this committee indicating that Cabinet would have the power to make these Regulations.

The Regulations, and the specific regulation which I have referred to, and I will read again, Madam Chairman, says in regulation 5(1), “**The Chief Executive Officer may, in accordance with the policies of the Authority, and in relation to non-coercive revenue, fix the fees and charges for services, and make any dispositions in relation thereto in accordance with the policies of the Authority.**”

So, this is in relation to non-coercive revenue, whatever that may be from time to time. The fees which we are seeking to remove from section 462(1) by repealing the subparagraph thereto are the relevant fees that we want to place essentially in this part of non-coercive revenue to which regulation 5(1) will relate.

Therefore, the regulation itself, while it has been published earlier on 25 July, is not ultra vires any aspect of the Law, and the amendment we are seeking to make to the Merchant Shipping Law (2011 Revision) is simply to move the money from the coercive revenue part into the non-coercive revenue part and that will make it subject to regulation 5(1) as set out in the Regulations which were published on 25 July.

I think there must have been a review of these Regulations and a conclusion that it could be safely published earlier than was originally intended.

The Speaker: Member for East End.

Mr. V. Arden McLean: Thank you, Madam Chairman.

What I have just heard the Minister say is that this regulation is for non-coercive fees that are collected by the Authority. My question then, under 459 and 461 . . . I think it is 462 that we are amending?

The Chairman: [Section] 462.

Mr. V. Arden McLean: [Section] 462(1)(a). I want us to look at this together, Mr. Minister.

Are you telling me then the first registration of a ship is non-coercive? Are you telling me that the registration of a demise chartered ship transferred in is non-coercive? Are you telling me that the registration anew or re-registration of a ship is non-coercive?

Are you telling me the interim registration of a ship is non-coercive?

The transfer of registration of a ship between British Registers is non-coercive?

Registration under the issue of a provisional certificate of registry is non-coercive?

The registration of a ship under construction is non-coercive?

The registration of the transfer or transmission of ownership of a ship is non-coercive?

All fines imposed under this Law are non-coercive?

Any fees—

Hon. G. Wayne Panton: You are going beyond (a) now sir.

Mr. V. Arden McLean: Beyond (a), that's true. That's (b).

The registration of the transfer of transmission of ownership of a ship—to that one, which is (viii).

Are they all non-coercive?

Hon. G. Wayne Panton: Madam Chairman.

The Chairman: Honourable Minister.

Are you finished, Member for East End?
Honourable Minister.

Hon. G. Wayne Panton: At this point, prior to the repeal of 462(1)(a), they are coercive revenue measures and fees.

Regulation 5(1) relates to non-coercive revenue. So, there is no connection between that regulation and the fees set out in [section] 462(1)(a) at this point.

Once 462(1)(a), which the Member has read out, which I read out earlier as well, is repealed, that is no longer in accordance with 462(1) sums which are to be paid into the Treasury. The fees for those can then be set by the Chief Executive Officer of the Maritime Authority in accordance with Regulation 5(1), because they are now not coercive revenue, they are non-coercive, once this repeal is in effect.

Mr. V. Arden McLean: Understood.

And you are telling me they cannot be considered coercive revenue?

We are now saying that the registration of a ship is not coercive revenue.

Hon. G. Wayne Panton: Once we have repealed 462(1)(a) they are not coercive revenue as set out therein.

Mr. V. Arden McLean: But at the time this was gazetted, they were.

Hon. G. Wayne Panton: That is correct.

Mr. V. Arden McLean: And we are saying that it was okay to gazette this.

Hon. G. Wayne Panton: We are saying that regulation 5(1), Madam Chair, with your permission.

The Chairman: Go ahead, Minister.

Hon. G. Wayne Panton: We are saying that regulation 5(1), as set out in these published Regulations on 25 July relate to non-coercive revenue. They do not—at that . . . this amount that is set out in 462(1)(a) or these amounts, or the fees in respect of these headings do not relate to the revenue which is considered by regulation 5(1). One is coercive at this point, the other is non-coercive. Once we repeal 462(1)(a) those headings—462(1)(a)(i) through (viii)—are no longer coercive revenue.

Mr. D. Ezzard Miller: And you say that's only \$150,000 a year, all of those fees?

Hon. G. Wayne Panton: To the best of my recollection, it is somewhere in that range, \$140[,000] to \$150[,000].

Mr. V. Arden McLean: Madam Chairman, I am going to leave this here because it is obvious I have some kind of thing going on in my head that doesn't accord with what I am hearing. I will take it for another opinion. Nevertheless, I shall leave the Minister up to the devices that he chose to succeed or destroy himself, and having said that, I am going to leave him now.

Let me just briefly say that when I spoke earlier about the Attorney General not being in this, I was talking to him as the Attorney General with regard to this committee, and not in his personal capacity. But I, nevertheless, apologise. I do not want to take personalities in here, because I have never done that. I don't want anyone to take such privileges over me, because I can get as mad as anyone else in that manner. But when I started addressing I talked about disabusing the Attorney General. It was not him personally; it was him as the Attorney General. Poor choice of words; him, you, or whatever the case may be, it meant him, as the Official Member of the Attorney General, not him as Samuel Bulgin. I do not want anything to do with that aspect of him when it's here; it's here to do with his post and his responsibilities within the Chamber.

So, I want to get that clarified, that we do not leave here today with the Attorney General feeling like I was interchanging between the Attorney General and Samuel Bulgin. It was the Attorney General.

And I apologise for the choice of “him” “we” “you” whatever, “you” and “him” I think I used. I don’t want that to be misunderstood. It was the Attorney General, and I can disabuse him in his capacity there, but not from a personal perspective.

Hon. Samuel W. Bulgin: Madam Chairman.

The Chairman: Honourable Attorney General.

Hon. Samuel W. Bulgin: Just to let the Honourable Member know—

The Chairman: You’re speaking now as the Attorney General, not Samuel Bulgin?

Hon. Samuel W. Bulgin: Yes.

The Chairman: Okay.

Hon. Samuel W. Bulgin: Interchangeably!

[Laughter]

Hon. Samuel W. Bulgin: Just to let the honourable Member know two things: 1) I do not hold it against him; and 2) it does not change my admiration, deep admiration, for him. And 3) he is still on my list for Christmas cards.

[Laughter]

Mr. V. Arden McLean: Madam Chairman, I thank him very much for that, and he’s on my everyday list for sympathy cards!

[Laughter]

The Chairman: Before we engage in last-one-hit, the question is that clauses 1 and 2 stand part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Clauses 1 and 2 passed.

The Clerk: A Bill for a law to amend the Merchant Shipping Law (2011 Revision) to make ship registration fees payable to the Maritime Authority rather than to the Treasury; and to make provision for incidental and connected matters.

The Chairman: The question is that the Title stand part of the Bill.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Title passed.

The Chairman: The question is that the three Bills be reported to the House.

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

Ayes.

The Chairman: The Ayes have it.

Agreed: Bills to be reported to the House.

House resumed at 5:43 pm

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

The Speaker: Please be seated.

I will call on the Honourable Deputy Premier to suspend Standing Order 10(2), as we have gone beyond the hour of interruption.

SUSPENSION OF STANDING ORDER 10(2)

Hon. Moses I. Kirkconnell: I beg to move the suspension of Standing Order 10(2) to allow the House to continue beyond the hour of 4:30 pm.

The Speaker: The question is that Standing Order 10(2) be suspended to allow the House to continue beyond the hour of 4:30 pm.

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

Ayes and one audible No.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

REPORTS ON BILLS

GRAND COURT (AMENDMENT) BILL, 2014

The Speaker: Honourable Attorney General

Hon. Samuel W. Bulgin: I beg to report that a Bill shortly entitled The Grand Court (Amendment) Bill,

2014, was considered by a committee of the whole House, and passed without amendment.

The Speaker: The Bill has been duly reported and is now set down for third reading.

MUTUAL FUNDS (AMENDMENT) BILL, 2014

The Speaker: Honourable Minister of Financial Services, Commerce and Environment.

Hon. G. Wayne Panton: I beg to report that a Bill shortly entitled the Mutual Funds (Amendment) Bill, 2014, was considered by a committee of the whole House and passed without amendment.

The Speaker: The Bill has been duly reported and is now set down for third reading.

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

The Speaker: Honourable Minister of Financial Services, Commerce and Environment.

Hon. G. Wayne Panton: I beg to [report that a Bill entitled the Merchant Shipping (Amendment) Bill, 2014, was considered by a committee of the whole House and passed without amendment.]

The Speaker: The Bill has been duly reported and is now set down for third reading.

THIRD READINGS

GRAND COURT (AMENDMENT) BILL, 2014

The Clerk: The Grand Court (Amendment) Bill, 2014.

The Speaker: Honourable Attorney General.

Hon. Samuel W. Bulgin: I beg to move that a Bill entitled the Grand Court (Amendment) Bill, 2014, be given a third reading and passed.

The Speaker: The question is a Bill shortly entitled the Grand Court (Amendment) Bill, 2014, be given a third reading and passed.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Grand Court (Amendment) Bill, 2014, given a third reading and passed.

MUTUAL FUNDS (AMENDMENT) BILL, 2014

The Clerk: The Mutual Funds (Amendment) Bill, 2014

The Speaker: Honourable Minister of Financial Services, Commerce and Environment.

Hon. G. Wayne Panton: I beg to move that a Bill entitled the Mutual Funds (Amendment) Bill, 2014, be given a third reading and passed.

The Speaker: The question is that a Bill entitled the Mutual Funds (Amendment) Bill, 2014, be given a third reading and passed.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Mutual Funds (Amendment) Bill, 2014, given a third reading and passed.

MERCHANT SHIPPING (AMENDMENT) BILL, 2014

The Clerk: The Merchant Shipping (Amendment) Bill, 2014.

The Speaker: Honourable Minister of Financial Services, Commerce and Environment.

Hon. G. Wayne Panton: I beg to move that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2014, be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2014, be given a third reading and passed.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: The Merchant Shipping (Amendment) Bill, 2014, given a third reading and passed.

MOTIONS

GOVERNMENT MOTION

NO. 2/2014-15—AMENDMENT TO THE DEVELOPMENT PLAN 1997— Proposed Rezoning: Lower Valley, Block 38E Parcels 282 and 283 (formerly Block 38E Parcels 590 and 591) - Registered to J&J Bear Ltd.

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Thank you, Madam Speaker.

I rise to move Government Motion No. 2/2014-15, entitled Amendment to the Development Plan 1997 Proposed Rezoning: Lower Valley, Block 38E Parcels 282 and 283 (formerly Block 38E Parcels 590 and 591) - Registered to J&J Bear Ltd.

With your permission I will just continue and read the Motion.

The Speaker: Please proceed.

Hon. D. Kurt Tibbetts: Thank you.

Just before I begin, I want to bring to the attention of Members that the proposed rezoning of 38E parcels 282 and 283, when everyone looks on their map they will see that these parcels were formally 590 and 591. In fact, they were 590 and 591 when the application for the rezone was made and have subsequently been changed by way of parcel numbers.

WHEREAS on 9th April 2014 the Central Planning Authority considered an application for the rezoning of Registration Section Lower Valley, Block 38E Parcels 590 and 591 from Low Density Residential to Hotel/Tourism (CPA/09/14, Item 4.1);

AND WHEREAS the Central Planning Authority resolved to forward the application to amend the Development Plan to rezone the subject two Parcels from Low Density Residential to Hotel/Tourism for the 60 days notification and advertising, per Section 11(2) in the Development and Planning Law (2011 Revision);

AND WHEREAS the proposed amendments were duly advertised in the *Cayman Compass* on the 14th, 17th, 22nd, and 25th April 2014 respectively, with the general public invited to view the application at the Planning Department for comment. During the comment period no letters of objection or representation were received on the proposed amendments;

AND WHEREAS on 25th June 2014 the Central Planning Authority again reviewed the application in light of the public consultation process and it was resolved (CPA/15/14 Item 4.1) to forward the proposed amendment to the Ministry of Planning with the recommendation that the proposed amendment be forwarded via Cabinet, to the Legislative Assembly for debate;

AND WHEREAS on 19th August 2014 Cabinet approved the rezoning application be referred on to the Legislative Assembly for consideration;

BE IT NOW THEREFORE RESOLVED THAT in accordance [with] Section 10(2)(b) of the Development and Planning Law (2011 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map of which are attached hereto;

AND BE IT FURTHER RESOLVED THAT, Registration Section Lower Valley, Block 38E Parcels 282 and 283 be rezoned from Low Density Residential to Hotel / Tourism.

The Speaker: The Motion has been duly moved and is open for debate. Does the Honourable Minister of Planning wish to speak to it?

Hon. D. Kurt Tibbetts: Yes, Madam Speaker, I will make some short comments.

Madam Speaker, Members will have received copies of the map and the summary sheet which gives an explanation of exactly the purpose of this whole exercise. Let me say, first of all, that this application is to do with a planned development in the Beach Bay area on the oceanfront. The proposed developers have been working on this for quite some time now. In fact, the previous Government was aware of the project and there were discussions prior to the elections in 2013. This Government has since picked up from there.

Madam Speaker, the subject lands (that is the two parcels) are located near the southern end of Beach Bay Road. Parcel 282 is approximately 30 acres in size, and parcel 283 is approximately 18 acres. Both parcels are undeveloped, covered with natural vegetation and presently zoned LDR, which is low density residential.

If we look on the map, Boundary Plan 40 was gazetted as far back as 1979. As intended, it depicts a 50 foot public highway corridor going east to west for two miles along the coast connecting Manse Road (which is off Bodden Town Road) with Pedro Castle Road via an intersection with Beach Bay Road. If we look on the Boundary Plan we will see that BP 40, the gazzetal, goes straight through these two parcels.

Madam Speaker, the developer is proposing to construct a hotel and a resort on the two subject parcels of this application and the adjoining land to the west, which on the map we will see is shaded in blue and which is already zoned hotel/tourism. The footprint for the development which they plan cannot be accommodated by the parcels which are already zoned hotel/tourism. So, in order to accommodate the project they have made this request for the rezoning, bearing in mind also that if the two parcels in question are not rezoned, then, it would certainly affect the density allowed on their application. So, it is important for the project for the rezoning to take place.

I just want to make sure that everybody has a clear understanding. The representatives from the district of Bodden Town have consulted. I've talked with people. We have had no objections. And in discussions with the Cabinet we think that as a project and its specific location this would be a good thing, not only for the district, but for the tourism development of the country also.

Madam Speaker, the BP 40, which is the gazetted road, negotiations are continuing with the developer and they have indicated to us that they are quite happy to construct the section of that road which will go through their property. I have to say, Madam Speaker, that once the purchases are completed the developers have indicated to us that they will be speaking to the NRA with the possibility of seeking within the boundaries of these two parcels to perhaps shift the road a little to the north to give them more property on the oceanfront side as to do with their development. Hence, while there is no indication at present because we don't know exactly what that is to be, I just want to advise everybody that they have indicated this.

Madam Speaker, having explained the whole process as the law requires, I just want to add that while the Government may not be minded presently as a matter of priority to continue that road going back to Pedro Castle Road, if we look on the map we will see that the distance from the eastern boundary of 38E-283 to connect to Manse Road is not a huge distance. Once the development is taking place and the developers have built the road from the west to eastern boundary of these two properties, then it is Government's intention to continue that road to Manse Road which will give another access to the Beach Bay area besides the Beach Bay Road itself.

Madam Speaker, there may be some who think that that road in itself is not important. And perhaps it is secondary in the order of priority. But if this development actually takes place, as it seems to be every intention that it will, we certainly do not want to not facilitate. In fact, we would like to encourage it. So, in our minds it would make a lot of sense to extend the road out to Manse Road and perhaps also do some improvements to the Beach Bay Road itself.

This, from all of the discussions we have had with the proposed developers, will certainly go a long way to creating employment for people within the district and also it will increase room stock for stay over tourism. And, Madam Speaker, it will also create the type of development which would have to be considered sustainable development and in raw terms, in the immediate once it gets going, to create work for people.

Madam Speaker, the developers have given clear indication in their meetings that they are quite willing to sit down and ensure that local employment is maximised at their facility and to also give all the necessary training that our own Caymanians can actually serve them well in the post by being trained properly.

I do not think there is much I can add to the introduction of the Motion, Madam Speaker. I think now it is simply a matter, if there are any questions, or if there are any contributions to the Motion, and if I have to answer anything then I will do so in my wind up. I certainly would seek the support of the entire

membership of this House for Government Motion No. 2.

Thank you.

The Speaker: Does any other Member wish to speak?

I recognise the Honourable Leader of the Opposition.

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

I am just rising to give my support for the efforts the Government is making on that project. When the Minister said that it was something started before the last election and has been in the works for some time, and I am truly pleased to see it move a bit further, Madam Speaker, because I believe when that presentation was made to us that it was a development that would enhance our tourism product and bring in the right kind of visitor, the upscale visitor that we promote.

So, Madam Speaker, I am indeed happy, and trust that this will move along quicker and smoother so that the developers can move further and faster. I say faster because we know what the bureaucracy is like in our Islands. But I am also waiting to see how the roadway between that area and upper Manse Road will work. I believe it is a good thing. I believe that it was gazetted or planned years ago with the late national hero, Mr. Jim Bodden, and the late Mr. Haig Bodden.

[Inaudible interjection]

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

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Well, Madam Speaker, I hear somebody saying something about what happened. But I am glad that maybe we passed that. And whatever problems that existed will now be overcome. I still say that I think it is a good thing that the roadway can move forward. If there was some problem with a particular area, I can tell you this: there is no road in Cayman that's straight! All we have to do is look at the last ones that were put in. They have more roundabouts than anywhere else in the world.

But it facilitates our—

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Well, Madam Speaker, I just hope that Members will take in stride what I am saying, that if there was a problem before, then that can be shifted. If a particular area that is affected, the roadway can be directed so

that it fits the bill for the developer and gets the road completed.

I believe that it will work. I believe it will enhance the area.

Hon. D. Kurt Tibbetts: You're talking about to leeward?

An Hon. Member: Yes.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: I am not too sure.

Hon. W. McKeeva Bush, Leader of the Opposition: I am not too sure.

Hon. D. Kurt Tibbetts: We know what you're saying. You are talking about to leeward and not to windward.

[Inaudible interjections]

Hon. W. McKeeva Bush, Leader of the Opposition: I am not too sure where the Member is talking about.

Hon. D. Kurt Tibbetts: The one going east is easy.

Hon. W. McKeeva Bush, Leader of the Opposition: But that planned development, as a whole, the road going in that direction I believe will enhance the whole area. There is still a lot of property there that is undeveloped and certainly, for a person like me who supports development, I am certainly saying that I am pleased that we are moving in the right direction and that aspect of the road, one of these days, if it is a half mile left, and Government needs to complete it, I would hope that Government will find the wherewithal to do it to complete . . . never mind the fact that perhaps when we get to Manse Road that some work will have to be done on that to enhance travelling because there will be more traffic.

Hon. D. Kurt Tibbetts: But that is still not a great distance.

Hon. W. McKeeva Bush, Leader of the Opposition: But it is not a long distance between where they will stop and where Government would have to take up from. I just want to encourage the Government to move forward.

Madam Speaker, I thank you very much.

The Speaker: Does any other Member wish to speak?

Fourth Elected Member for Bodden Town.

Mr. Alva H. Suckoo, Jr.: Thank you, Madam Speaker, I will be brief.

I just wanted to thank the Minister and his team for getting this Motion to the House at the speed they did, because I think it gives an indication of how important we think this type of development is for Bodden Town.

I am also extremely pleased to know that the Leader of the Opposition continues to support this project for the obvious reasons, the economic benefits it will bring to Bodden Town. The last thing I would want to see is this important project become a political football and hence suffer from delays, back-and-forth, and so on.

I am pleased to rise and offer my support to this development. I think the Minister has been working along with the four Bodden Town representatives as fast as possible to get this project moving. The importance of that road to Bodden Town is extremely significant. It is something we talked about when we were campaigning actually, about having to open up central Bodden Town and expose it to the benefits that this development would bring later on. There are going to be tremendous opportunities for Bodden Town entrepreneurs and residents, jobs, retail opportunities, the list goes on.

So, this project does have our full support and I can assure this honourable House that the four Bodden Town representatives and the Government will be working extremely hard to see it become a reality.

Thank you, Madam Speaker.

The Speaker: I recognise the Deputy Speaker, the First Elected Member for Bodden Town.

Hon. Anthony S. Eden: Thank you, Madam Speaker, just very briefly to offer my support. I know my colleagues have been working with the Minister and on occasion have met with the developer. I know the Member for East End was talking about the western part of this gazetted road. I was going to comment on it.

I am not sure how long ago that was gazetted, but if they have to go through, I would call it a precipice, it would probably take all the fill out of Mexico to bring that up to level, but—

[Laughter]

Hon. Anthony S. Eden: As we have alluded here, and the Leader of the Opposition has said, these roads can be changed to swing around it, but that has always been my concern if they talked about bringing the road where it was urgently gazetted, but I am sure that can change.

I know my other three colleagues from Bodden Town and I would welcome something like this. And this is something that would be good for all of our people, not only in the district of Bodden Town and the eastern districts, but the entire Cayman Islands.

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

If not, I will call on the Honourable Minister of Planning if he wishes to exercise his right of reply.

Hon. D. Kurt Tibbetts: Madam Speaker, after all that has transpired today, I think there is nothing more for me to say with this one, but to say, thank you, to Member for either their obvious or tacit support.

Thank you.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED THAT in accordance in Section 10(2)(b) of the Development and Planning Law (2011 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map of which are attached hereto;

AND BE IT FURTHER RESOLVED THAT, Registration Section Lower Valley, Block 38E Parcels 282 and 283 be rezoned from Low Density Residential to Hotel/Tourism.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Government Motion No. 2/2014-15 passed.

The Speaker: Is it the intention of the House to revert back to Private Members' Motions, or can we have a motion for adjournment?

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

The Speaker: Honourable Leader of the Opposition?

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

I understood that we would move to Private Members' Motions, or at least I would hope that I can deal with the first one.

The Speaker: Madam Clerk, item six.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

NO. 1/2014-15—AMENDMENT TO THE IMMIGRATION LAW (2013 REVISION) (SPECIALISED CARE GIVERS)

The Speaker: Honourable Leader of Opposition.

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

I beg to move Private Member's Motion No. 1/2014-15, standing in my name, which reads as follows:

WHEREAS the Immigration Law (2013 Revision) was amended on 24th October, 2013;

AND WHEREAS the provision for Specialist Caregivers was removed;

AND WHEREAS in our aging population it is our elderly who are most impacted by the removal of the Specialist Caregivers;

BE IT NOW THEREFORE RESOLVED that the Government consider reintroducing the provision in the Immigration Law for Specialist Caregivers or a similar provision giving the same possibility for our senior citizens, who need such constant care, to keep the caregiver they have been acquainted with for some years.

The Speaker: The Motion has been duly moved. Is there a seconder?

Mr. Bernie A. Bush: Yes, Madam Speaker, I beg to second the Motion.

The Speaker: I recognise the Honourable Leader of the Opposition. Do you wish to speak to your Motion, sir?

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker, and I will try to be brief with this.

This matter of the Specialist Caregiver is of much concern to many people in our community. Those of us still fortunate to have an aged parent or other person close to us can well appreciate just how well that loss is to people. In some cases with sick, aged people, parents or other loved ones, we have to have sometimes two such caregivers.

These aged individuals are not used to, cannot tolerate drastic changes and new faces around them most times. Most times they are, some of them, in early stages or full-blown Alzheimer's, so those of you who do not have to contend with that situation can only imagine, Madam Speaker, just what people must go through to give quality care to an aged and invalid person.

Most times in their state of Alzheimer's or whatever sickness they might have, they fully always recognise their caregiver and most times are agreeable with those caregivers, sometimes more than they agree with their children if they have. How many cases of the same situation could or do exist in our Islands? I am not sure. But I know that there are many people in the same position.

So, Madam Speaker, on behalf of all those elderly and their families, and I just don't want anybody to believe I am talking about an elderly person who has Alzheimer's. They could have a caregiver for many different reasons. So, on behalf of all those elderly and their families, I hope the Government would be disposed to agree to the Motion and try to find a way to deal with this real need in our community.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

I recognise the Honourable Premier.

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

I am pleased to be able to say to this House and to the Leader of the Opposition in particular, that this is a matter the Government is already considering. We know the challenges posed by long-time caregivers having to leave someone they have been looking after who is very ill, or who is very aged, and the challenges posed for the families and the person that is being looked after.

As always, Madam Speaker, the great struggle is to reconcile the desire to have this person stay on long-term with the concerns about how those people will fit into the immigration regime that we have, which has essentially a graduated policy in place whereby you come on a work permit and then apply for permanent residence. If you get permanent residence, you then move on, ultimately, to get Caymanian status and so forth and so on.

One of the great issues with this is that, of course, these caregivers are generally some of the lower paid persons in employment in the Cayman Islands and the chances of them being able to meet the permanent residence requirements, particularly as they relate to assets and so forth, are quite slim in most instances.

So, the struggle for a number of Governments, and this one as well, is how we balance these issues, because we have to be careful about persons being able to claim by virtue of the length of time they have been here, some right of security to tenure long term. In many of the instances, as these people age it will become more difficult for them to be able to look after themselves and one of the concerns is that they will add to the ever-growing list of persons for whom Government has to find the means to provide for.

So, Madam Speaker, the Government is very sensitive to this issue. We too have heard the concerns and the pleas of the people affected when caregivers have to be rolled over. So, we are looking to find a way to be able to address this. We have a number of other Immigration Law amendments that we are considering and we are hopeful that a way will be found to deal with this by the time those amendments are ready to be brought to this House.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

Deputy Speaker, First Elected Member for Bodden Town.

Hon. Anthony S. Eden: Thank you, Madam Speaker.

I am pleased to hear our Premier indicating acceptance of this Motion. I know both the Leader of the Opposition and I talked about it back in October last year when I had so many representations from especially the elderly in the district of Bodden Town. I always draw an example when several years ago another one (who is now deceased) was so attached to that caregiver, and there were restrictions to the Law. But I did go to the Leader of the Opposition (who was the Leader of Government Business at that time) and we were able to get that through and she was so happy because she was even to the stage where she wanted to travel to Jamaica with her helper until the necessary time. But I know that this Government, our aim and what we have talked about helping our people, this will go a long way.

I know there are a number of people who will be glad to hear this. Some of them had to go through the rollover. But I am sure that when we help people there is an exceptional time where my belief and my faith is that God will provide for a Government that looks at people like this.

I do not really think it is going to be that huge amount of people that will fall into this category. But for whatever reason, that peace of mind that we can give to our senior at that time, and I have seen some of them just crying. In any way that we can encourage them and make them happy . . . but I just want to say thanks to the Premier for listening to us and understanding and, once again, it is about our people that we represent. And any way that we can make that aged group of people happier, we can and will be blessed for it.

Thank you.

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

Honourable Minister of Health.

Hon. Osbourne V. Bodden: Thank you, Madam Speaker.

I rise in my capacity, really, just to say a few words as Minister of Health.

It certainly is something that I think when it was changed we all did not feel quite right about it. It is good that we have been able to discuss it. I thank the Leader of the Opposition for bringing it back to the table. It is very important that we find a way. I think we can find a way to make this work, because the Prem-

ier said it is not without its challenges. I do not think that the numbers are really that great.

Although these people are not working for free, I think that the service they are providing to this community in giving distinguished care to our elderly is important to me. I think if the country has to bear somewhat of a burden for that it is a quid pro quo as far as I am concerned. What we have to be careful of, however, is that we don't get into a case where dependents, dependents and dependents, then that is where we have to work and massage this to make it work.

I know from my own experience with my mother, as I said to caucus, she had a helper of some 30 years. When she got down to her last and the stages where mama got sick and really needed someone to be around her, she didn't want anyone else around but that lady. Thank God she had status. She's been here a long time. But, just an example, if she was someone who had to leave my mother at that stage I don't know what I would have done. That was the person she wanted around her. And that is just my own experience.

I know it is important, and I know the First Elected Member for Bodden Town feels very deeply about this and had a lot of representation on it back last year. So, I am very happy that we have found a way to offer our support to this Motion. Once again I congratulate all involved.

Thank you.

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

If not, I will call on the Honourable Leader of the Opposition if he wishes to exercise the right of reply.

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

Madam Speaker, just to say thank you to the Government for the willingness to re-address the situation anew.

Madam Speaker, the Government has to address the matter so that the long term effect is taken into consideration and that there is a balance. As the Honourable Minister of Health just said, Madam Speaker, this Government, as all governments, must realise that there are situations in the Islands that we cannot get out of, permanent residency or otherwise. We must realise that we make provisions for to give Caymanian status by way of a motion in exceptional circumstances. So, this category of immigration status or position is an exception and warrants the Government finding a way to address it.

So, the Government in regard to situations that hang on to that kind of problem . . . the Government is the Government; it can address any situation and put in place reasonable safeguards so that the

Government can feel that they have addressed it in a sense that does not leave them open to any abuse.

I want to thank the First Elected Member for Bodden Town because he always rises to the occasion when it comes to these matters of addressing issues for the elderly, and from the day that I was responsible for Social Services and [when] he came and took over, he carried on. I don't think he made many changes in the way we dealt with the elderly except to try to enhance the positions we had put forward.

So, I want to thank him for his support, and to thank my colleagues, the seconder and my other colleagues in West Bay for their support. Again, I want to thank the Premier for being willing to look at the problem again in a different way.

Thank you, Madam Speaker.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED that the Government consider re-introducing the provision in the Immigration Law for Specialist Caregivers or a similar provision giving the same possibility for our senior citizens, who need such constant care, to keep the caregiver they have been acquainted with for some years.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No.1/2014-15 passed.

The Speaker: Can we have an indication from the Government bench, indeed, the House generally, as to whether we can entertain a motion for the adjournment now?

Honourable Premier?

The Premier, Hon. Alden McLaughlin: Madam Speaker, I am happy for the House to continue for the Honourable Leader of the Opposition to move the motion and perhaps present it, and then we can continue with it tomorrow, or if he would rather that we leave it until tomorrow evening then perhaps we can do that. Whatever . . .

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: You're going to be here?

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Okay.

If he is ready to present it he can go ahead and then we can respond tomorrow.

[Inaudible interjections]

The Speaker: Honourable Premier, can we have a motion then for the adjournment?

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: Madam Speaker, I move the adjournment of this honourable House until 10:00 am tomorrow.

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

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

Ayes.

The Speaker: The Ayes have it.

At 6:35 pm the House stood adjourned until 10:00 am, Friday 12th September, 2014.