



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2015/16 SESSION

19 June 2015

*Eighth Sitting of the First Meeting
Throne Speech and Budget Address
(Pages 257-278)*

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

PRESENT WERE:

SPEAKER

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

MINISTERS OF THE CABINET

Hon Alden McLaughlin, MBE, JP, MLA	<i>The Premier</i> , Minister of Home Affairs, Health and Culture
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, JP, MLA	Minister of Finance and Economic Development
Hon G Wayne Panton, JP, MLA	Financial Services, Commerce and Environment
Hon Tara A Rivers, JP, MLA	Minister of Education, Employment and Gender Affairs

EX OFFICIO MEMBERS OF THE CABINET

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

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

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

OPPOSITION MEMBERS

Capt A Eugene Ebanks, JP, MLA	Fourth Elected Member for West Bay
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INDEPENDENT MEMBERS

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

APOLOGIES

Hon. W. McKeever Bush, OBE, JP, MLA	<i>Leader of the Opposition</i> , First Elected Member for West Bay
Hon Osbourne V Bodden, JP, MLA	Minister of Community Affairs, Youth and Sports

ABSENT

Mr Bernie A Bush, MLA	<i>Deputy Leader of the Opposition</i> , Third Elected Member for West Bay
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**OFFICIAL HANSARD REPORT
STATE OPENING AND BUDGET
2015/16 SESSION
FRIDAY
19 JUNE 2015
11:25 AM
Eighth Sitting**

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

The Speaker: Good morning. I will invite the Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure to grace us with prayers today.

PRAYERS

Hon. D. Kurt Tibbetts, Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure: Good morning, 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 Premier, the Speaker of the Legislative Assembly, Ministers of the Cabinet, Ex-officio Members, 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.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

The Speaker: I have received apologies for absence from the following two Members, the Honourable Minister responsible for Community Affairs, Youth and Sports; and the Honourable Leader of the Opposition.

PRESENTATION OF PAPERS AND OF REPORTS

STANDING FINANCE COMMITTEE REPORT ON APPROPRIATION (JULY 2015 TO JUNE 2016) BILL, 2015

The Speaker: Honourable Minister of Finance and Economic Development, Chairman of the Standing Finance Committee.

Hon. Marco S. Archer, Minister of Finance and Economic Development: Thank you Madam Speaker.

I beg to lay on the Table of this honourable House the Report of the Chairman of the Standing Finance Committee on the Appropriation (July 2015 to June 2016) Bill, 2015.

The Speaker: So ordered.

Does the Honourable Minister of Finance wish to speak to his report?

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

In accordance with Standing Order 64(7), the Standing Finance Committee agreed that I submit to this honourable House the Report of the Committee on the Appropriation Bill.

The Committee first met on the 29th May 2015, and in addition to the first meeting had deliberations on 10 days, the last of which occurred yesterday afternoon when the Committee met to review the report that has just been tabled. The Committee therefore held meetings over 11 days.

The Committee met to consider the items shown on the Schedule to the Appropriation Bill, a function that is referred to the Committee by Standing Order 64(3). The Committee considered the Schedule

to the Bill and agreed the appropriations requested in the Bill.

One of the appropriations on the Schedule was changed by the Committee. The Committee agreed to an increase of \$1.5 million to appropriation FSC 13, Environmental Services and Research. The revised appropriation is now \$4,503,178.

The Committee also agreed to disbursements of \$5,180,000 from the Environmental Protection Fund with respect to expenditure during the course of 2015/16 fiscal year which was to be incurred in connection with environmental matters.

As the proceedings of the Committee have been broadcasted publicly, both on radio and on television, there is no need for me to go into further detail in respect to the deliberations of Finance Committee to the Appropriation (July 2015 to June 2016) Bill, 2015.

I am to report to the House that a Bill shortly entitled The Appropriation (July 2015 to June 2016) Bill, 2015, was considered by the Standing Finance Committee, which is a Committee of the whole House, and passed with one amendment (which I just stated). So with that, I thank you for the opportunity.

WATER AUTHORITY OF THE CAYMAN ISLANDS FINANCIAL STATEMENTS ENDING 30 JUNE 2014

The Speaker: I recognise the Honourable Premier.

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

The Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure has been called out of the Chamber, so may I move a motion to defer the presentation of the various reports that are on the Order Paper for him to present this morning until later in the proceedings today?

The Speaker: The question is that the presentation of papers and reports as stated on the Order Paper of Friday, 19 June 2015, to be tabled by the Honourable Minister responsible of Planning, Lands, Agriculture, Housing and Infrastructure be laid at a later time today.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Water Authority of the Cayman Islands Financial Statements Ending 30 June 2014 deferred until a later time in the Sitting.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

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

The Speaker: I recognise the Honourable Premier.

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

I move the suspension of Standing Order 23(7) and (8) in order that Questions may be taken after the hour of 11:00.

The Speaker: The question is that Standing Order 23(7) and (8) be suspended in order that Questions may be taken after the hour of 11 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 to enable question time to continue beyond the hour of 11:00 am.

QUESTION NO. 15: SPEAR GUN LICENSING PRO- CEDURE UPDATE

The Speaker: Elected Member for North Side.

Mr. D. Ezzard Miller, Elected Member for North Side: I beg to ask the Honourable Minister of Financial Services, Commerce and Environment the following question: Can the Honourable Minister give an update on the implementation of the new spear gun licensing procedure which will allow Caymanians over 18 years of age to purchase new spear guns and parts for spear guns?

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

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

As Honourable Members will be aware, Part 5 – Licences and Permits, of the National Conservation Law has not yet been commenced. This means that the spear gun licensing regime which exists under the Marine Conservation Law is still in effect. I am, however, aware that the National Conservation Council has been actively considering the matter of spear gun licensing and I am awaiting their proposals on this

issue in connection with the implementation of Part 5 of the National Conservation Law. Thank you.

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

PRESENTATION OF PAPERS AND OF REPORTS

WATER AUTHORITY OF THE CAYMAN ISLANDS FINANCIAL STATEMENTS ENDING 30 JUNE 2014

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 Financial Statements of the Water Authority of the Cayman Islands for year ending 30th June 2014.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to the report?

Hon. D. Kurt Tibbetts: Madam Speaker, Members can acquaint themselves with the information via the report. It is self-explanatory.

NATIONAL ROADS AUTHORITY FINANCIAL STATEMENTS ENDING 30 JUNE 2014

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 Roads Authority Financial Statements ending 30th June 2014.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to the report?

Hon. D. Kurt Tibbetts: Just like the one before, Madam Speaker, the information is contained in the report and is self-explanatory.

ELECTRICITY REGULATORY AUTHORITY FINANCIAL STATEMENTS ENDING 30 JUNE 2014

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 ending 30th June 2014.

The Speaker: So ordered.

Hon. D. Kurt Tibbetts: Once again, Madam Speaker, self-explanatory.

INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY FINANCIAL STATEMENTS ENDING 30 JUNE 2014

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 Information and Communication Technology Authority Financial Statements ending 30th June 2014.

The Speaker: So ordered.

Hon. D. Kurt Tibbetts: Once again, Madam Speaker, self-explanatory.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

The Speaker: I recognise the Honourable Premier for the presentation of a few statements.

RESPONSE TO CHAMBER OF COMMERCE

The Premier, Hon. Alden McLaughlin: Madam Speaker, this past Friday the Chamber of Commerce Council issued a public statement concerning Finance Committee's decision to not spend Government's money on an entity whose reckless and highly inaccurate 3rd June 2015 editorial castigated the entire country, called each and every one of us corrupt and in so doing, jeopardised our economy.

The Chamber Council also noted its concern regarding what it termed local and global implications of the editorial and the response of the Government as well as the wider community. Members of the Chamber Council noted that the actions of the newspaper and Government are causing negative overseas media coverage.

Madam Speaker, I sincerely appreciate the Chamber Council finally weighing in on this issue. I also note that besides acknowledging the views of the Finance Committee, the Council has taken note of the wider community's response; that the editorial and the actions of David Legge, after supposedly fleeing Cayman, have not been positive.

I am disappointed, though, Madam Speaker, that the Chamber's response fell short of condemning the *Compass'* offending editorial entitled "Corruption: An Insidious Creeping Crime." It is David Legge's di-

rect actions, histrionics and fabrications that have directly caused the international media stories that give the Chamber Council and the Government concern. Yet, I do not see the Chamber publicly stating its concern for Mr. Legge's actions.

Not content with the damage he had done by publishing the editorial in the first place, Mr. Legge—that fearless defender of freedom of the press—falsely claimed to have been given police protection by the Governor, and departed these shores with his wife in tow because of 'fears for their personal safety'. He then spent the following week doing the international media circuit seeking to damage the reputation of Cayman further by giving interviews to anyone who would listen to him, suggesting that not only was Cayman a place that was corrupt to its core, but that it was also inhabited by a violent people who would have done him real harm had he not 'fled'.

Madam Speaker, I am certain that the Chamber Council must see, and they must be concerned by, the *Compass*' almost daily attacks on our Financial Services Industry when it creates inferences regarding FIFA and the Cayman Islands Monetary Authority that have no real basis in fact, and serve no purpose other than to sell newspapers and possibly serve some other undetermined agenda. This gives Government and me, much concern.

Madam Speaker, in private, some on the Council have told me that the *Compass* editorial of June third was dastardly and had potential to damage our reputation, as were the actions of the publisher when he supposedly fled Grand Cayman to the safety of Florida and then went about systematically making wild claims to the overseas media. I believe they may also privately wonder what Mr. Legge is really up to. But, Madam Speaker, with all due respect to the good people on the Chamber Council for whom I have the greatest respect and regard, I would suggest that if they wish to live up to the Chamber's vision and mission statements, then they cannot sit on the side lines but must speak out even when the private sector gets it wrong, including the press.

Madam Speaker, we, who the people of this country elected to govern, cannot and will not sit on the side lines. The people of Cayman can be assured that I as Premier and this Government, and indeed, Madam Speaker, we have seen this entire House, will stand up and defend Cayman, our people, and our business community. If this means that we must face even sharper barbs and more strident condemnation from the *Compass* editorial board and its attempts to involve the international media in a battle against us, then so be it.

I want to reassure the Chamber, the Country, and, indeed, all media that this Government will never be one to censor the press. I repeat what I said in my statement to Finance Committee on June 5th and I quote: **"A free press is important to a free society and I will defend at all times the need for a free**

press. But I will not sit by and say nothing when the *Compass* takes that freedom for granted and is as reckless, disingenuous and irresponsible as was its editorial on Wednesday."

Madam Speaker, in that statement, I also noted, and again I am quoting: **"It goes without saying that the Government of the day is to expect scrutiny, criticism and challenge from the press. In fact, it is the media's job to take us on. But the editorial in question was not about the government. And it was not about me. It was about the people of Cayman. It called us by name"**.

So Madam Speaker I will say again that while I will always fight for a free media, any media house that will fight against my country unjustly to sell newspapers or to swell the ego and the coffers of a publisher while harming Cayman's reputation is not one that, in my view, should be subsidised in part by public funds.

Mr. V. Arden McLean: Thank you, thank you, thank you!

The Premier, Hon. Alden McLaughlin: Madam Speaker the Society of Professional Journalists, the oldest organisation representing ethical journalism in the United States, recognises a number of broad principles that should be applied to journalism, namely to (a) seek truth and report it; (b) minimise harm; (c) act independently; and (d) be accountable and transparent.

Ethical journalism, the society says, should be accurate and fair. Journalists should be honest and courageous in gathering, reporting, and interpreting information, but always be accurate and not oversimplify in promoting or summarising a story. Journalists, it says, should avoid stereotyping and must examine the ways that their values and experiences may shape their reporting. At all times journalists should aim to be balanced. Ethical journalism balances the public's need for information against any potential harm that could be caused. The pursuit of the news is not a license for arrogance or undue intrusiveness.

If only the *Compass*' editorial board and David Legge would aspire to such high principles.

Madam Speaker, this Finance Committee has called for a ban on advertising with a publication that is systematically seeking to inflict serious, if not fatal, damage to the reputation of these Islands and its people. Mr. Legge's message is *Cayman is a corrupt and violent place inhabited by incompetent and immoral people*. That message continues to be hammered home by Mr. Legge and his publication at every opportunity. The most recent pronouncement by the *Compass* that the Cayman Islands is "culturally steeped" in corruption was really the final straw. But the practice of denigrating the country and its people has been the modus operandi of David Legge for

many years and can be traced back to earlier publications of his, such as, the *Grand Caymanian* magazine.

Over the past two years plus, since he bought the *Compass*, the attacks on Cayman and its people have escalated many fold. Indeed there are many in the wider community who believe the publisher cares very little for these Islands and our people. His recent actions are proving them right. Indeed, the *Compass* is now running an online poll this very day, the integrity of which appears to be doubtful, which seeks to determine what participants think of the degree of corruption in Cayman. I urge the people of these Islands to weigh in on that poll and send a resounding message to Mr. Legge and his Editorial Board.

The *Compass* and its supporters in the international media have sought to frame this confrontation by the Legislative Assembly and the *Compass* as a freedom of the press issue. It is not. The *Compass*, as any other media house in Cayman, is free to publish whatever it wishes, subject only to the laws with respect to defamation. And they do. Look at today's editorial. So, Madam Speaker, the issue is not about freedom of the press.

On the other hand, the Cayman Islands Government and the private sector spend millions and millions of dollars every year promoting the Cayman Islands as a good place to live, work, play and invest. We spend millions more defending Cayman's reputation internationally and seeking to dispel the image of Cayman as a shady tax haven where tax cheats and money launderers abound. It is a never-ending battle we fight. We have done everything as a country that has been required of us and more to ensure that we meet the highest international standards with respect to regulation of our financial services industry, anti-money laundering legislation, transparency and cooperation with respect to tax information exchange. Yet as developments this week demonstrate, we still get unfairly blacklisted.

We have enough enemies abroad. We do not need enemies within our midst seeking to undermine the entire basis of our economy and society by claiming that we are "culturally steeped" in corruption.

The decision of Finance Committee not to continue to advertise with the *Compass* is a vote by this House, not to continue to subsidise a campaign aimed at destroying the economy of the Cayman Islands and the livelihood of its people. It is a simple as that. The *Compass* is free to continue to print whatever it wishes. It just will not be subsidised by the taxpayers of this country who, Mr. Legge claims, are all corrupt.

Mr. V. Arden McLean: Hear, hear!

The Premier, Hon. Alden McLaughlin: As such, the Government will stand by the commitment to the ban.

Mr. V. Arden McLean: Hear, hear!

[Desk thumping]

The Premier, Hon. Alden McLaughlin: But should David Legge and the *Compass* Editorial Board have a change of heart and publicly apologise to the people of the Cayman Islands for the editorial which accused the entire country of being corrupt and for his subsequent actions and statements, the Government's position may change.

Mr. V. Arden McLean: Yours will; mine won't!

The Premier, Hon. Alden McLaughlin: Such an apology must be in a form acceptable to the Government and must appear on the *Compass* front page as well as on its editorial page and receive the same degree of international coverage as did Mr. Legge's flight from these Islands.

Until then, the ban will remain in place and this Government will ensure that going forward, Government advertising will be fairly distributed to other media houses, many of which have complained for years about the *Compass* receiving the bulk of Government business. This will help to ensure that these Islands will not be held ransom by a single major publication with a publisher whose ambition and ego seemingly make him believe he is omnipotent.

I encourage the Chamber Council to reach out to the publisher and to say to him what they will not say publicly—that he was wrong, and to advise him and his editorial board to apologise to the Country.

Madam Speaker I have received another letter from the Chamber President, presumably on behalf of his Council, noting their support for my message of zero tolerance to any form of illicit activity in the Cayman Islands. I thank them for that confirmation.

In his letter, the Chamber President also states that government must ensure that regulatory and law enforcement agencies and departments such as the Cayman Islands Monetary Authority and the Royal Cayman Islands Police Service should be "directed to this matter so that we can demonstrate to the world that we have the ability and desire to cooperate with international agencies involved with these investigations".

I will point out for the benefit of the Chamber president, his Council and the media, that despite CI-MA and the RCIPS being required under law to act independently of Government, my statement of June 3rd regarding the FIFA investigation included the following comment: **"We can confirm that local law enforcement agencies are cooperating with international investigating authorities but it would not be appropriate for the Government of the Cayman Islands to pass comment on the on-going investigations in this jurisdiction or elsewhere. Those are matters for the relevant investigating authorities and, ultimately, the courts.**

“Justice requires that investigations into allegations of criminal offending, and any subsequent prosecutions, are conducted with scrupulous care. We are confident that justice will, in the end, be served”.

Madam Speaker, I also went on to say: **“We are also satisfied that the Cayman Islands Monetary Authority is taking all appropriate action in respect of the stated involvement of Fidelity Bank and Trust in this matter and that the bank is also fully cooperating with the relevant authorities.**

“The Cayman Islands has a reputation for engagement and achievement of very robust global standards in relation to the regulation of domestic and cross border financial transactions. Our excellent ratings from assessments by the Global Forum and the FATF certainly demonstrate this.

“The Government of the Cayman Islands takes a zero tolerance approach to anyone carrying out illicit activities through the Cayman Islands. We do not intend to compromise the hard work we have done over the past couple of decades and the good rating and reputation we have earned.

“Finally, we have a long history of cooperating with global, and in particular, US authorities and there is no doubt that we have and will continue to fully assist in the investigation and ultimate conclusion of these matters”.

I hope that by repeating this again today, that the Chamber and all in the news media, including the *Cayman Compass*, will be satisfied. But Madam Speaker, I know that you understand, as does everyone in this Government, that we will vociferously fight against corruption in all forms. The Peoples Progressive Movement, more than any other political entity, has done much to bring about laws to help protect our Islands from the ill effects of corruption. As such, I am not sure why the Chamber, the *Compass* or any other group would assume that we or the relevant authorities are ignoring the FIFA issue. That assumption is very, very wrong.

The Chamber and the *Compass* should know that frank conversations with all relevant entities have happened and, given my statement, they should be willing to accept what I said at face value. If they have a question, then, they can call me. They all have my telephone number. But the Chamber, the *Compass* and others must recognise that while they believe they have responsibility for the public good, it is me as Premier, my Ministers and Councillors, the Speaker and the other Members of the honourable Legislative Assembly that carry the burden of political leadership in this country, and that we are not always free to say whatever comes to mind or indeed all that we may wish to say, because we must consider the wider public good at all times.

I go to sleep every night appreciating that upon our shoulders lies much responsibility. I know that you and all within these Chambers understand that we must act cautiously and take great care about what is said or, maybe more importantly what is not said, not only because there are active criminal investigations under way, but also because little is accomplished or changed by reckless statements that can cause definite harm. This applies to Government as well as the press.

Madam Speaker, I thank you for this opportunity to address the concerns of the Chamber Council and to put forward the views of Government. I hope that as we move forward the publisher of the *Compass* will reconsider his approach and perhaps listen to the views of the wider community as to his stewardship of the *Compass*; listen to them and apologise to them. And I hope that the Chamber will help me deliver that message to the *Compass*.

I thank you for your attention.

The Speaker: I once again recognise the Honourable Premier for the delivery of his second statement.

PROGRESSIVES-LED GOVERNMENT MID-TERM REPORT 2013/15 “STEERING A TRUE COURSE”

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

Today it gives me great pleasure to bring to this honourable House and to lay on its Table the Progressives-led Government’s Mid-Term Report, “Steering a True Course.”

The Speaker: So ordered.

The Premier, Hon. Alden McLaughlin: Madam Speaker, with your permission I would like to speak to the report.

The Speaker: Please proceed, Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, this Government has made excellent progress over the past two years in moving forward our plans for this term. And if you line up this Mid-Term Report with the Manifesto of the Progressives you will quickly see that we are delivering on our promises.

The Country is making progress Madam Speaker; progress that is based on turning around an economy that was at a standstill and in threat of backsliding under the previous administration. Today we have an economy that is stronger, more sustainable and growing with our Gross Domestic Product up a respectable 2.1 per cent in 2014, with all indicators pointing to further increases next year and beyond. In simple terms, under our stewardship the economy is improving and growing.

The USA, by comparison, which has one of the largest and most diversified economies in the world, recorded a 2.4 per cent growth at the end of last year. So, given our size, comparably we have done very well, and we expect this to continue through 2016.

This growth has not happened by chance or luck, Madam Speaker. It is the direct result of this Administration's sound and sensible planning and our disciplined implementation of those plans.

When this Government took over in May 2013, this country's finances were in dire straits because of the management of the now-Leader of the Opposition when he was Premier and Minister of Finance, and Minister of almost everything else.

During our tenure, revenues have increased from \$618.4 million in 2012/13 when we took office, to \$660.2 million in this fiscal year and growing to \$661.2 million in 2015/16. All this, Madam Speaker, despite Government giving up revenues totaling \$12.6 million over two years with the duty reduction on diesel CUC uses for electricity production.

On the cost side, expenses were cut from \$558.1 million in 2012/13 to \$538.7 million in 2014. Even with increased expenses of about \$14.5 million in the new budget to fund a 4 per cent cost of living adjustment for civil servants, funding for CINICO, Seaman's ex gratia grants, e-Government initiatives, and several other measures, core Government's budgeted expenses of \$552.8 million for the next fiscal year are still less than total expenses for the last UDP budget under the now-Leader of the Opposition.

The Government's net operating surplus has increased from about \$60 million at June 2013 to \$121.5 million in 2014/15 and \$108.4 million dollars in the 2015/16 budget (which we have just approved). Importantly, these numbers are even more impressive when you consider the 30 million dollars combined negative impact to the surplus from revenue given up by Government in various duty reductions and the increases in expenditure noted previously. And Government has maintained a healthy surplus without any new borrowing and with no new taxes. In fact, this Government has significantly reduced taxes.

Debt is also being reduced from \$575.2 million at June 2013 to \$503.4 million at June 2016 - a decrease of \$71.8 million, and we have firm plans in place to reduce debt even further. As the Minister for Finance noted in his budget address, we have established a debt service sinking fund that now has a balance of \$18 million that can be drawn on, if needed. And, as I have mentioned previously, Government continues to operate without the need of an overdraft to fund recurrent expenditure. This has been achieved through prudent money management and has not only saved at least \$800,000 in overdraft interest annually, but also tens of thousands in other bank fees. Additionally interest rates were renegotiated with local

banks to lower those rates for the remaining term of five of Government's loans.

As you also heard the Minister of Finance tell us some weeks ago, Government's total cash balances are expected to grow to \$341.6 million by 30 June, 2016.

So, Madam Speaker, since coming to office we have delivered credible and sensible budget plans with strong revenue growth coupled with prioritised and controlled expenditure that have led to good surpluses. We have delivered on our promises to the country and on our legal and constitutional obligations to the United Kingdom. However, we have delivered them not just to satisfy the UK, but because they are right for our country.

And so with a growing economy we have seen more Caymanians being able to find jobs again. The unemployment rate for Caymanians fell from 9.4 per cent in 2013 to 7.9 per cent in 2014, because of increased economic activity such as construction works that have begun in recent years or from existing businesses that have started to rehire. Our Government has also encouraged many new business startups to invest in Cayman, which has led to even more work for our people. But more jobs are needed, not just for this year or the next, but for the years to come as the country grows and our young men and women enter the workforce. That is why we have worked hard over the past two years, and will continue to do so, to create an environment that enables the growth of existing businesses, encourage local business startups, and attract new businesses to our shores. And Government is also doing its part by investing in the necessary infrastructure, including roads, airports, the landfill and cruise berthing, which will assist private growth.

We now have a growing private sector that once again believes it can trust Government to keep its word, negotiate in good faith and stand by its commitments.

This renewed confidence Madam Speaker, coupled with our good stewardship of Government finances, and an overall feeling of stability, have helped create an atmosphere that stimulates local business, and has attracted private sector investment. And so we now see several major initiatives comfortably moving forward, or coming to the fore, creating jobs, and thus further building confidence.

These initiatives are well known and include the Kimpton Hotel, the redevelopment of the old Hyatt property, the Ironwood golf community project, Camana Bay expansion—including a new hotel—the Beach Bay Condos project and others. But there is another new initiative to add to the mix with the sale and redevelopment of the Treasure Island hotel, which will transform the property into a quality branded hotel.

Each and every one of these projects has benefitted from this Government's support and en-

couragement, which has translated into hundreds of job opportunities for Caymanians. This growth has also provided more revenue to Government, which along with sensible cost cutting, has enabled this Administration to leave more money in the pockets of businesses and individuals; all because we have been strategic and disciplined.

Disciplined financial management has enabled us to restore the long overdue cost of living adjustment to civil servants at 4 per cent. This will effectively put \$7.5 million into the collective pockets of civil servants that should be spent in the local economy every year.

Disciplined financial management has allowed us the ability to reduce the import duty on fuel Caribbean Utilities Company uses to generate electricity by 25 cents per gallon this past January and reduce another 25 cents per gallon next January. We will have erased the 45 cent increase put on by the UDP and are moving from a high of 75 cents per gallon under the UDP to 25 cents a gallon by January 2016 under our capable leadership.

Madam Speaker, while bringing much needed relief to households, this duty reduction also brings cost savings to businesses. All told the doubling of the duty reduction equates to \$8.4 million left in the pockets of individuals and businesses each year. With these savings, I urge businesses to take the opportunity to reduce prices to consumers.

Disciplined financial management has allowed Government the ability to reduce the import duty to licensed traders from 22 per cent to 20 per cent at a savings to businesses of at least \$4 million annually, which will also allow for better prices to consumers.

And disciplined financial management has meant that Government has not only reduced its debt but has also not needed to borrow to fund operating activities or capital works. And importantly, it also means that we have not introduced any new tax measures on our people and businesses these past two years and have no plans to introduce any over the remainder of this term.

Disciplined financial management also means that from the next budget year we will not require budget approval from the UK.

I will repeat Madam Speaker, the economic growth we are experiencing, the availability of more jobs for Caymanians, and the greatly improved financial position of Government has not happened by chance or luck. It is the direct result of this Administration's sound and sensible planning and our disciplined implementation of those plans.

These plans include the development of a sustainable solid waste management system that we anticipate will serve us for at least the next 50 years. We all know that waste has been a problem for these Islands for decades but no Government has been willing or able to tackle this issue, meaning that it has gotten worse as more and more rubbish from a grow-

ing population and visitor base has been added to the landfill, particularly here on Grand Cayman.

The Progressives-led Government, though, does have the courage to tackle our waste management problem. We are doing so in a systematic way that will not only 'fix the dump' as some like to say (particularly the *Compass*), but will also look to bring about a sea change in the attitudes and behaviours of our people toward what we use and discard by ramping up recycling and composting efforts. Putting in place a proper waste treatment facility will take time but it will be done properly under this Administration.

In the interim we have also made dramatic improvements to the way the George Town landfill was being mismanaged. These improvements have included new equipment, such as 10 new garbage trucks and a compacter as well as operational changes. These improvements will not only lessen the opportunity for fires to flare up but have also returned domestic and commercial garbage collection to normal levels.

This Government continues to support local and international investors who, like us, want to develop and improve Cayman's economy. As I have indicated earlier, the stability and confidence that everyone in Cayman—including businesses and investors—feels with this Government at the helm has helped immensely to allow projects to go forward, bring back jobs and to grow the economy. While over the past two years we have been looking to attract new businesses and diversify the economy, property development has continued to be a main economic driver, which we expect to continue over the next several years.

Recognising this, we worked with and encouraged developers to bring forward plans that are good for Cayman and our people, but always ensured that we got the best deal possible. Where agreements were already in place, we renegotiated for a better deal. And we have been successful.

In addition to its \$309 million Kimpton Hotel Project on Seven Mile Beach, Dart has committed to invest \$400 million in new infrastructure over the course of the next 10 years. The commitment is part of this Government's renegotiated National Roads Authority agreement, which also contains Dart's consent to forgo receipt of the 50 per cent hotel room tax they had negotiated under the UDP.

The renegotiated agreement is one that provides a better deal for the country and allows Dart Realty the ability to develop its properties and to see a reasonable return on its investment. But we believe the developments that Dart is doing will be good for Cayman for many years to come.

Madam Speaker, Health City in East End celebrated its first anniversary this year. This is a project that the Progressives supported from its inception when we sat on the side opposite. It's a project we continue to support as we have continued to work

closely with the developer during construction and over the past year. Just this past May, Health City also received the coveted JCI [Joint Commission International] Gold Seal of Approval, which will enable it to better attract patients from the United States. We will continue to work closely with Health City, not only as it expands its overseas patient base but also as it plays an important role in saving lives right here in Cayman.

Cayman Enterprise City is another entity that the Progressives supported, particularly under CEC's current management team. To date CEC has enticed 140 companies to the Cayman Islands to set up physical staffed operations within the Special Economic Zone and there are now approximately 251 people working there. Last year I attended the Internet Marketing Association's conference in the United States to help promote CEC and Cayman, the outcome of which was an IMAC leadership summit in Cayman this year and IMAC's plans for a larger conference next year.

The potential for CEC and Cayman to benefit from this relationship by attracting IMAC members to do business in Cayman while also increasing our tourism numbers is promising. And last month we announced that we had renegotiated and improved Government's agreement with CEC to allow Government flexibility in granting Cayman businesses the ability to enter segments previously locked down as zone businesses. Government has also partnered with CEC to introduce a Maritime Park that will serve to bring new business and jobs to Cayman.

This Government's support for business extends to local investors as well. This includes the Gran Palazzo, which will be a major Caymanian waterfront development on North Sound providing jobs for Caymanians on all levels of the project.

To further support businesses, we have been successful in the passage of much-needed and anticipated legislation, such as the amendments to the Trade and Business Licensing Law, which leads to a more structured business licensing regime by allowing the Trade and Business Licensing Board to function more effectively, simplifying business registration, and curtailing illegal vending.

In addition, changes to the Liquor Licensing Law are being drafted and will update antiquated legislation that allows liquor licenses to be traded as commodities and makes it difficult or costly for those who want to open bars or restaurants.

The Secondhand Dealers Law was approved and is protecting consumers and businesses by putting strict regulations on pawn shops and those who have businesses that buy second-hand items like jewelry, electronics and even metals like copper wire. Regulations include strict requirements to maintain records on the identity of the sellers. It also dissuades pawn shops and metal buyers from being a first source to fence stolen items, which should in turn bring a reduction in break-ins and thefts. The law not

only ensures that this segment is properly regulated but it also serves as a tool to deter criminals and assist law enforcement in combating crime.

The new Exempted Limited Partnership Law and Regulations were implemented in August of last year. With the implementation of this law the General Registry processed 2,900 applications—an increase of 22 per cent—in the number of new registrations over the previous year. An online system was developed and as of last month, has 131 subscribers, with 1,039 users. This legislation is important for financial services as it makes Cayman more competitive and positively impacts revenues to Government and financial services industry jobs.

Cayman's Governmental framework for intellectual property is being updated in the areas of copyrights, trademarks and patents. There are several notable benefits to modernising Cayman's Intellectual Property protection from safekeeping of locally created content to an increase in Cayman's attractiveness for foreign investment. It will also broaden local access to goods and services and has the potential for increased Government revenue and creation of jobs for our people.

Also helping us build a strong, thriving and diverse economy is tourism. Our tourism numbers are growing at record levels with key stay-over numbers up by an impressive 10.84 per cent in calendar year 2014 over the numbers in 2013, and with cruise tourism up 16.98 per cent for the same period.

To help support those growing numbers, this Progressives-led Government is making much needed improvements to our airports and working diligently on cruise berthing facilities. The financial transaction model has been approved by Cabinet and discussions with cruise lines on the financial transaction model are taking place. The Environmental Impact Assessment for the Cruise Berthing Facility has been completed, and is now undergoing public consultation.

I acknowledge that the environmental assessment has identified several issues, so the viability and economic benefits of cruise berthing must be understood and carefully weighed against those concerns. However, I must point out that unlike the cruise berthing plans under the UDP, this Government committed—and has delivered on its promise—to ensure that a proper assessment of the environment was conducted before finalising any cruise berthing plans.

At Owen Roberts International Airport, we constructed a new temporary departure lounge that accommodates 200-plus additional passengers and provides added departure gates and restrooms. This has given much needed relief to our own travelling public and visitors while main airport improvements are being made. The master planning for the overall improvements has been done and design plans are now being finalised for the airport itself. Work will begin this year on the redeveloped airport.

On Cayman Brac, the construction works to enhance the Charles Kirkconnell International Airport Terminal to full international airport standards was completed and a ribbon cutting to mark the occasion took place on 29 January this year. The main improvements were security related and will bring the airport in line with United States Transportation Security Administration requirements and improve overall passenger comfort. They will also allow the airport to become classified as an international airport allowing direct flights from the States.

In October 2014, Cayman Airways began enhanced air travel between Grand Cayman and Cayman Brac with the introduction of the 30-seat Embraer 120.

Madam Speaker, with more and more people coming to our shores, it is imperative that we have proper infrastructure in place to keep our visitors and residents moving.

Work is finished on the widening of Godfrey Nixon Way and has greatly smoothed out the traffic flow with its three lanes—two directional and a centre lane—for turning into the numerous businesses along that bustling stretch of road. The improvements also include better sidewalks and a cycle lane making the roadway safer for drivers, pedestrians and cyclists. Godfrey Nixon Way will also be connected in the coming year to North Church Street.

Similar work is planned on Smith Road this year as part of our master plan to improve traffic flows in George Town. Improvements to Smith Road will be similar to what was done with Godfrey Nixon Way and will help reduce traffic delays. Smith Road will also be connected to Elgin Avenue with a new road and Elgin will be connected to Eastern Avenue. All of these road changes will allow traffic to move more directly between these key roads without the necessity to enter central George Town. I thank everyone in this House and those listening and viewing these proceedings for their patience as ongoing road works progress.

Other road works planned involve improvements to Linford Pierson Highway, which will have four lanes, and the widening of Thomas Russell Way as well as improvements to Edward and Fort streets. All of these road works are just part of Government's overall \$27 million plan to improve traffic flows in and out of Cayman's capital and will serve as a launch ramp for the revitalisation of George Town initiative. The lessons learned with these efforts in George Town can serve as a template for similar improvements in possible future efforts in other districts such as Bodden Town or West Bay.

Government has approved changes to the speed limit along West Bay Road reducing it to 30 miles per hour as well as installing more pedestrian walkways and improving safety along the route by preventing the middle lane from being used to overtake. These road improvements will not only increase

safety, but make it easier for commuters to travel as they go to and from their jobs.

Speaking of jobs, Madam Speaker, one of the accomplishments of which I am most proud is the Progressives-led Government's stance on a National Minimum Wage. Ours is the first Government to proactively take on a Minimum Wage regime, which we will implement from 1 March next year.

As stated in the Minimum Wage Committee Report, about 2,700 Caymanians who are classified as low or very low wage earners will have their incomes increased through Minimum Wage.

This Government also established the School of Hospitality Studies in conjunction with the Cayman Islands Tourism Association and the University College of the Cayman Islands. The first graduates will receive their certifications in June 2015 and the goal is for them to enter the job market with one of the school's private sector partners.

In addition, Government and Cayman Finance are working in partnership to offer education and work experience in the Financial Services Industry for up to fifty Year 12 students in the dual enrolment Government system.

To help keep our people healthy and fit, the Department of Sports has held 52 programmes throughout the various districts that benefited hundreds of children and adults. Those programmes include club sports, afterschool programmes and adult fitness sessions.

At Savannah Primary School, facilities have been upgraded to allow greater community access for recreational and sporting activities. The Ministry of Sports will continue to upgrade sporting facilities starting with works at the G. Haig Bodden Play Field in Bodden Town with adequate changing room facilities and seating.

Madam Speaker, we all know that mental health is also important to us as a country and a society. To that end, Government has approved plans for a Long-term Residential Mental Health Facility.

The health of our environment is also extremely important. The historic National Conservation Law was approved in December 2013 and the National Conservation Council has been working over the past year to put the necessary systems and measures in place to facilitate full commencement of the Law.

To help ensure the safety of our foodstuffs, consultancy is under way for drafting a National Food and Nutrition Security Policy and Implementation Strategy, which provides the best fit for the Cayman Islands as it not only addresses key agricultural issues, but also incorporates and touches on other key areas such as health and lifestyle issues, non-communicable diseases, environmental health, environment, planning and tourism issues.

In July 2014 the Department of Agriculture, working in conjunction with the United States Depart-

ment of Agriculture Animal and Plant Health Inspection Service, Florida Department of Agriculture and Consumer Services and the US Customs and Border Protection, successfully launched the “Don’t Pack a Pest” programme in the Cayman Islands, becoming the fifth country or territory in the Caribbean to participate in this key traveler education programme.

Government has re-established the Certificate for Specialist Caregivers for non-Caymanian workers hired by local families to take care of elderly, sick or disabled patients. Under this legislation they will be given up to a 10-year exemption from the term-limit provisions of the Cayman Islands Immigration Law.

Cabinet has also approved the country’s first Disabilities Policy, ensuring that people with disabilities live with dignity, are respected and participate in a full society. An inter-ministerial committee is working toward implementation and legislation.

Madam Speaker, I’ve just given the House a sample of our accomplishments in the first two years of this Administration. The document I have presented today should be considered an addition to the 99-Day Report, entitled, “Getting Back on Course”, and the First Year Report, “On Course”, to get a solid glimpse of *ALL* that this Progressives-led Government has done.

No one can deny that when we took over the helm of Government the country was, frankly, in a mess. We set our course to restore stability to the Government and its finances thereby restoring confidence while promoting economic growth. We made our plans and not only have we stuck to them, we have consistently delivered progressive results.

Now that stability has been restored, we will continue over the next two years and beyond to deliver strong, sustainable growth to ensure that all Caymanians, and those who live and invest here, benefit. I take inspiration from that great race car driver Mario Andretti, the only driver to win the Daytona 500, the Indy 500, and Formula One World Championship who said, and I quote, **“Desire is the key to motivation, but it’s determination and commitment to an unrelenting pursuit of your goal—a commitment to excellence—that will enable you to attain the success you seek”**.

Madam Speaker, the Progressives-led Government has that desire, that determination and that commitment to excellence. We have attained success—many achievements in the short two years that we have been at the wheel of the good ship Cayman. But we’re not finished; not by a long shot. We remain motivated to see our plans through the remainder of this term and God and the people willing, into a second term.

And so, it is with great pride that I am able this morning to table in this honourable House our Mid-Term Report titled, “Steering a True Course” because, Madam Speaker, that is precisely what this Progressives-led Government is doing.

In the words of American entrepreneur Jim Rohn: **“It is the set of the sails, not the direction of the wind that determines which way we will go”**.

I thank you, Madam Speaker, for your attention.

GOVERNMENT BUSINESS

BILL

THIRD READING

APPROPRIATION (JULY 2015 TO JUNE 2016) BILL, 2015

The Clerk: The Appropriation (July 2015 to June 2016) Bill, 2015.

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

Hon. Marco S. Archer: Madam Speaker, I beg to move the Third Reading of a Bill entitled the Appropriation (July 2015 to June 2016) Bill, 2015.

The Speaker: The question is that a Bill shortly entitled The Appropriation (July 2015 to June 2016) Bill 2015, 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 Appropriation (July 2015 to June 2016) Bill 2015, given a Third Reading and passed.

The Speaker: I propose to do the First Readings and then we will take our luncheon break.

BILLS

FIRST READINGS

FILM EXHIBITION CONTROL BILL, 2015

The Clerk: The Film Exhibition Control Bill, 2015.

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

LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) BILL, 2015

The Clerk: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

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

We will take our luncheon break and reconvene at 2:00 pm.

Proceedings suspended at 12:40 pm

Proceedings resumed at 2:43 pm

The Speaker: Please be seated.
Proceedings are resumed.

BILLS

SECOND READINGS

FILM EXHIBITION CONTROL BILL, 2015.

The Clerk: The Film Exhibition Control Bill, 2015.

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

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

I beg to move the Second Reading of a Bill entitled The Film Exhibition Control Bill, 2015.

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

Hon. G. Wayne Panton: Thank you, Madam Speaker. I do indeed wish to rise on behalf of the Government to present this Bill shortly entitled the Film Exhibition Control Bill, 2015.

The Bill is for a law to provide for the regulation of the public exhibition of films. There is current legislation known as the Cinematograph Law which currently regulates this matter, or this issue. Effectively, this Bill seeks to repeal and replace that. It reflects the Ministry's efforts to modernise the Framework of Commerce legislation to improve the licensing processes and to improve provisions for effective consumer protection.

In much of the Bill, reflected are existing provisions which have been taken from the Cinematograph Law which currently exists (which this Bill will repeal and replace). But there are a few important changes.

Firstly, the licensing of premises that exhibit films to the public has been updated to add, or the provisions relating to the licensing of premises have been updated to deal with several minor issues that have been identified as being problematic. This is all clearly integrated through this Bill with the processes which the Department of Commerce and Investment will be implementing and have the power to implement through the new provisions. This allows the department to better administer the premises' licensing pro-

cess and to use its enforcement officers, its trade officers in a more efficient way.

Secondly, it expands and clarifies the provisions relating to the treatment of both rated and unrated films that are or may be publicly exhibited in the country. The primary goal here is to protect children from harmful film content through requirements for clear and understandable labeling of films through a new ratings system.

The burden of protecting children from harmful content in any medium is generally that of the parents. So that has to be recognised and that is certainly reflected and recognised by the proposal in respect of this Bill. But when it comes to allowing access of unaccompanied minors to films that are either unrated or that they are not rated to be able to see, certainly we want to ensure that there is a framework in place which will require that the premises showing any particular such film to have an obligation to ensure that children and unaccompanied minors do not have access.

Contrary to some misperceptions stated in the media in recent weeks, Madam Speaker, this is not the Government's attempt to act as a censor or to take on the role that rightly belongs to parents. But as with similar licensing legislation, this Government is seeking to fulfill its role in the creation of this framework which has very clear rules, allows for the protection of minors, allows businesses to operate successfully and thrive, and, at the same time, protect consumers by requiring that certain minimum standards are met.

Now, the process and criteria to be used in a rating system for films will fall under a new Film Control Board which is described in the [Bill]. This is a three-person board which will be charged with developing a rating system and applying this system to all films that are publicly exhibited in this jurisdiction. The option to accept a rating from an international agency is certainly retained and that will be generally the norm. That is how it is done now. So, for instance, the US ratings (I think it is called the Motion Picture Association of America) are routinely accepted for films which are shown in Cayman. But we will have the ability, if we think appropriate, to assess whether those ratings in relation to any particular film are appropriate to the country.

The third key feature of this Bill is a recognition of an evolving creative industry in Cayman, that of film production. For the last few years we have seen a lot of activity, growth and interest in this area locally, reflected in the emergence of talented local film professionals, producers, directors, and others, certainly with skills essential for the creation of films. I think we all know we have some of our own home-grown directors that are involved even in the industry in Hollywood.

We are also trying to break into the world of the international film festivals and the schedules

through which these types of events are held around the world adds significantly to a tourism product and can certainly attract lots of visitors to the country. We have a perfect example of that going on just now. I think it officially started last night and runs today and over the weekend.

Madam Speaker, I understand there is also a local festival planned for later this year. I think the Sixth Elected Member for George Town may speak to this in some detail later, because I think he was directly involved with helping to organise that as the Councillor for the Ministry of Tourism.

Madam Speaker, the creative talent that is emerging needs to be fostered, it needs to be supported and this Bill certainly makes provision for that. It creates a framework through which we can support that. Certainly, if locally produced films are to be shown to the public, we have to have a mechanism through which we can evaluate the content and assign a rating to these films to ensure that minors are protected.

So, in this way, there is the potential for significantly greater appreciation for local films as consumers will have a better way of evaluating the choice of attending such an exhibition.

Madam Speaker, the Bill also makes specific provisions for exemptions in relation to these types of festivals. The Government recognises that these types of events are unique and there has to be flexibility. You typically have the potential for large numbers of unrated films to be exhibited. Therefore, consideration is necessary to ensuring a balance between this positive international exposure and respect for our local culture.

Clause 36 addresses the possible exemptions to be made, both in the rating of films as well as in respect of premises that may be used to exhibit these films.

Just briefly, there was one proposed amendment in respect of the Bill which has been circulated, a minor amendment that we propose to deal with at committee stage. That is seeking to provide for greater flexibility in relation to the department being able to consider special requests.

I do not think that I need to go much more into the content of this Bill. I think that is a useful summary. I therefore commend this Bill to this honourable House for passage. 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?

I recognise the Sixth Elected Member for George Town.

Mr. Joseph X. Hew: Thank you, Madam Speaker.

I rise very briefly to support the Film Exhibition Control Bill, 2015, and to thank the Minister and his team for their work in modernising the Framework for

Commerce and Legislation to regulate what I consider the growing film industry.

As the Minister mentioned earlier, about a year ago we revived the film commission and transferred it over to the Department of Tourism under the Ministry of Tourism and Transport. We are happy to announce that we had a very, very successful launch of the Cayman Islands Film Festival last night. The festival continues throughout the day today and concludes tomorrow night. We have already started to see some of the benefits and results from that festival. Councillor Connolly and I had the privilege to meet with the Dean of film making from the UCLA. She had some great insight into what she believes could be a thriving industry and a great partnership between the Cayman Islands and the UCLA.

Madam Speaker, we have on this Island a lot of talent that will not be restricted to traditional occupations such as banking and financial services and tourism even. These young people see things a little differently. And they have a story to tell. We have to foster that talent and encourage these young people to tell their story. But we have to have them tell it in a responsible fashion. We cannot allow or risk having the industry start off on a sour note and restrict these young people from really enhancing their lives at the end of the day by developing their talents and one day perhaps going on to be another Grace Gealey, another Frankie Flowers.

So, again, I applaud the Minister and his team for putting this legislation together quickly and for their support and help in getting us through the necessary channels to have a successful launch of CayFilm last night.

So, Madam Speaker, with those few words, I thank you and the Members of the House. I think we will see in the years to come a growing industry here with film and the visual arts. I look forward to working along with the Members in supporting this. 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?

If not, I will recognise the Honourable Minister responsible for Financial Services if he wishes to exercise his right of reply.

Hon. G. Wayne Panton: Thank you, Madam Speaker, just to thank my colleague who spoke in relation to this, and certainly all other honourable Members of this House for their tacit support.

The Speaker: The question is that a Bill shortly entitled The Film Exhibition Control Bill, 2015, be given a second reading.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Film Exhibition Control Bill, 2015, given a second reading.

SECOND READING

LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) BILL, 2015

The Clerk: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

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

Hon. Marco S. Archer: Thank you, Madam Speaker. I beg to move the Second Reading of a Bill entitled, The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

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

Hon. Marco S. Archer: Thank you, Madam Speaker. I rise to present the Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, on behalf of the Government. This Bill seeks to amend the Land Holding Companies Share Transfer Tax Law (2007 Revision) in order to ensure that the tax payable on specified transfers and for related and connected matters is consistent with the Stamp Duty Law (2013 Revision).

On the 26th of November 2012, this honourable House approved the Stamp Duty (Amendment) Law, 2012, which increased stamp duty rates to 7.5 per cent for the conveyance or transfer of all immovable property. The 7.5 per cent stamp duty rate meant that there was no difference in the rate regardless of the geographical location of the property, or whether the property was transferred to a Caymanian or a non-Caymanian purchaser.

Madam Speaker, in addition to the amendment to the Stamp Duty Law, in November 2012, there should have been an equivalent amendment to the Land Holding Companies Share Transfer Tax Law (2007 Revision) to also increase that rate to 7.5 per cent on the transfer of land to or from a land holding corporation. The rates in the Land Holding Companies Share Transfer Tax Law (2007 Revision) are 4 per cent of the taxable value of a transfer if the transferee is a Caymanian, and 6 per cent if the transferee is not a Caymanian.

This Bill seeks to increase these rates to 7.5 per cent regardless of whether the transferee is Caymanian or non-Caymanian. And as a result of the Land Holding Companies Share Transfer Tax Law (2007 Revision) not being amended, the Lands and Survey Department has been charging the rates of 4

per cent and 6 per cent, when it was Government's intention back in 2012 to charge 7.5 per cent.

Therefore, clause 1 of the Bill sets out the short title of the intended law, and clause 2 amends section 3(1)(c)(ii) of the Land Holding Companies Share Transfer Tax Law (2007 Revision), by replacing 4 per cent and 6 per cent with 7.5 per cent respectively. Therefore, I commend the Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, to this honourable House for passage.

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 recognise the Honourable Minister of Finance, if he wishes to reply.

Hon. Marco S. Archer: Thank you, Madam Speaker. Just to say thank you to my honourable colleagues for their tacit support in the passage of this Bill.

The Speaker: The question is that a Bill shortly entitled Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, be given a second reading.

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

AYES.

The Speaker: The Ayes have it.

Agreed: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, given a second reading.

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

House in Committee at 3:06 pm

COMMITTEE ON BILLS

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

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 Bills and read the clauses.

FILM EXHIBITION CONTROL BILL, 2015

The Clerk: The Film Exhibition Control Bill, 2015.

Clause 1	Short title and commencement
Clause 2	Interpretation
Clause 3	Objects of the Law
Clause 4	Application of the Law

Clause 5	Establishment of the Film Control Board
Clause 6	Functions of the Board
Clause 7	Application for a rating certificate
Clause 8	Rating of film and film rating certificate
Clause 9	Factors in ascribing a rating
Clause 10	Unrated films unsuitable for child viewership

The Chairman: The question is that clauses 1 through 10 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 10 passed.

The Clerk:

Clause 11	Exemption when film rated by internationally recognised film censors
Clause 12	Submission of list of films to be exhibited
Clause 13	Validity of certificate
Clause 14	Display of rating
Clause 15	Change in rating
Clause 16	Appeals against Board decisions
Clause 17	Refund of customs duties
Clause 18	Suspension or revocation of certificate and penalty
Clause 19	Penalties in relation to rating certificate
Clause 20	Penalties attached to body corporate certificate holders

The Chairman: The question is that clauses 11 through 20 stand part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 11 through 20 passed.

The Clerk:

Clause 21	Department as licensing authority
Clause 22	Functions of the Department
Clause 23	Application for premises licence to exhibit a film
Clause 24	Exempted public film exhibitions
Clause 25	Proceedings of the Department
Clause 26	Issue of premises licence
Clause 27	Duration and renewal of premises licence

Clause 28	Suspension or revocation of premises licence and offence
Clause 29	General directions of Department
Clause 30	Appeals against Department decisions

The Chairman: The question is that clauses 21 through 30 stand part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 21 through 30 passed.

The Clerk:

Clause 31	Penalties in relation to premises licence
Clause 32	Penalties attached to body corporate licence holders
Clause 33	Enforcement by trade officers
Clause 34	Power of search and seizure
Clause 35	Prosecution requires consent of Director of Public Prosecutions
Clause 36	Exemptions from application procedures
Clause 37	Fees, penalties and fines part of general revenue
Clause 38	Regulations
Clause 39	Burden of proof
Clause 40	Amendment of Schedules

The Chairman: The question is that clauses 31 through 40 stand part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 31 through 40 passed.

The Clerk: Clause 41 Repeal of Cinematograph Law (2009 Revision).

The Chairman: The question is that clause 41 stands part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 41 passed.

The Clerk: Clause 42 Repeal of paragraph 20 Schedule to Sunday Trading Law (2014 Revision).

The Chairman: Honourable Minister, you have an amendment to clause 42?

Hon. G. Wayne Panton: Yes. Thank you.

AMENDMENT TO CLAUSE 42

Hon. G. Wayne Panton: In accordance with the provision of Standing Order 52(1) and (2), I give notice to move the following amendment, that is that the Bill be amended in clause 42, as follows: by repealing clause 42 and renumbering accordingly; And (b) in Schedule 6 . . . sorry.

The Chairman: The amendment has been duly moved. Does the Minister wish to speak to the amendment?

Hon. G. Wayne Panton: Madam Chairman, I think I sufficiently indicated that this was to provide additional flexibility and to make sure that this particular law, when in effect, will operate in tandem with the provisions of the Sunday Trading Law. So, I do not think I will add anything more at this point, unless Members have any questions.

The Chairman: If there are no other questions, I put the question that the amendment stands part of the clause.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to clause 42 passed.

The Chairman: The question is that clause 42, as amended, stands part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 42, as amended, stands part of the Bill.

The Clerk: Clause 43 Savings and transitional provisions.

The Chairman: The question is that clause 43 stands part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Clause 43 passed.

The Clerk:

Schedule 1 - The Film Control Board

Schedule 2 - Fees

Schedule 3 - Public Film Rating Certificate

Schedule 4 - Film Exhibition Particulars

Schedule 5 - Public Film Exhibition Premises Licence

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

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

AYES.

The Chairman: The Ayes have it.

Agreed: Schedules 1 through 5 passed.

The Clerk: Schedule 6 The Film Exhibition Control Rules, 2015.

The Chairman: Honourable Minister, there is an amendment to Schedule 6.

AMENDMENT TO SCHEDULE 6

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

I move an amendment to Schedule 6 at paragraph 3, by repealing subparagraph (2) and substituting the following subparagraph: "(2) A person who wishes to conduct the public exhibition of a film outside of the hours specified in subparagraph (1)(b) shall submit a written request to the Department and the Department may, after considering the request, grant permission for the conduct of the public exhibition of the film."

The Chairman: Does the Minister wish to speak further to it? If not I will put the question.

Hon. G. Wayne Panton: Madam Chair, I think it is fairly straightforward, so you can probably put the question unless Members have a question.

The Chairman: Member for North Side . . .

Mr. D. Ezzard Miller: I was just asking him the question if the public section of that would include TV broadcast of movies and how you would regulate that. Would it be certain hours, or what?

The Chairman: Honourable Minister?

Mr. D. Ezzard Miller: Are you talking about a theatre, because movies take many forms in this day and age, it's not just—

Hon. G. Wayne Panton: Madam Chair, I thank the Member for the question. This Bill does not deal with the showing of films on the television. That falls under the control of the ICTA licensing provisions of that; any particular licensee.

[Inaudible interjection]

Mr. D. Ezzard Miller: ICTA has consistently asserted that they do not regulate content. I mean, I agree with you, but their position has always been that they do not regulate content; they only regulate the licensing and the other stuff. So somebody needs to regulate. I don't know.

The Chairman: Honourable Minister, I think that's an observation; I am not sure whether he wants to convert that to a commitment or just bring that to your attention.

Hon. G. Wayne Panton: Yes, Madam Chair, I certainly appreciate it being brought to our attention. I will liaise with the ICTA on the issue. But just to clarify that this particular Bill does not deal with the regulation of television content. Theoretically that should be under the ICTA, but I will discuss that with—

Mr. D. Ezzard Miller: But, many people today . . . through you—

The Chairman: Member for North Side.

Mr. D. Ezzard Miller: Many people today put theaters in their house and they rent movies and share with their friends. The question I am asking is if this is expected to cover those kinds of events as well, because that is a public showing and they mightn't be charging admission, or they might be, I don't know.

The Chairman: Honourable Minister?

Hon. G. Wayne Panton: I think, Madam Chair, it would only be relevant if they were, in fact, having it open to the public, whether or not they charged, but certainly, having a private event at someone's house, which is not open to the public, would not be covered by this.

The Chairman: Member for North Side.

Mr. D. Ezzard Miller: So, if I rented a theater and had a private showing, it would not apply either?

The Speaker: Honourable Minister?

Hon. G. Wayne Panton: Madam Speaker, I will verify that, if you will bear with me for a moment. Thank you.

[Pause]

Hon. G. Wayne Panton: Thank you for your indulgence. In the scenario described by the Member for North Side of an individual or a business renting, for example, the cinema, to show a private showing, that would certainly fall within the context of this because the cinema would be a licensed premises and the films shown there would be subject to regulation under both the existing Cinematograph laws and this Bill, if and when it is passed into law and commenced.

The Chairman: If there are no further questions, I put the question that the amendment stands part of the Schedule.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Amendment to Schedule 6 passed.

The Chairman: I put the question that the Schedule, as amended, now stands part of the Bill.

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

AYES.

The Chairman: The Ayes have it.

Agreed: Schedule 6 as amended stands part of the Bill.

The Clerk: A Bill for a law to regulate the public exhibition of films; to repeal the Cinematograph Law (2009 Revision); 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.

**LAND HOLDING COMPANIES SHARE
TRANSFER TAX (AMENDMENT) BILL, 2015**

The Clerk: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

Clause 1 Short title

Clause 2 Amendment of section 3 of the Land Holding Companies Share Transfer Tax Law (2007 Revision) - returns, etc., of transfers to be delivered and tax payable

The Chairman: 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 Land Holding Companies Share Transfer Tax Law (2007 Revision) to increase the tax payable on specified transfers; and for related and connected matters.

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.

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

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

AYES.

The Chairman: The Ayes have it.

Agreed: The Bills to be reported to the House.

House resumed at 3:23 pm

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

The Speaker: Please be seated.

REPORT ON BILLS

FILM EXHIBITION CONTROL BILL, 2015

The Clerk: The Film Exhibition Control Bill, 2015.

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

Hon. G. Wayne Panton: I am to report that a Bill shortly entitled The Film Exhibition Control Bill, 2015, was considered by a Committee of the whole House and passed with one amendment.

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

LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) BILL, 2015

The Clerk: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

The Speaker: Honourable Minister of Finance and Economic Development.

Hon. Marco S. Archer: I am to report that a Bill entitled The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, 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 a third reading.

SUSPENSION OF STANDING ORDER 47

The Speaker: I recognise the Honourable Premier for the suspension of Standing Order 47.

The Premier, Hon. Alden McLaughlin: I beg to move the suspension of Standing Order 47 in order for more than two readings of the Bill to be dealt with in the same day.

The Speaker: The question is that Standing Order 47 be suspended.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 47 suspended to enable the two Bills on the Order Paper to be given a third reading.

BILLS

THIRD READINGS

FILM EXHIBITION CONTROL BILL, 2015

The Clerk: The Film Exhibition Control Bill, 2015.

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

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

I move that a Bill shortly entitled The Film Exhibition Control Bill, 2015, be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled The Film Exhibition Control Bill, 2015, 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 Film Exhibition Control Bill, 2015, given a third reading and passed.

LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) BILL, 2015

The Clerk: The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015.

The Speaker: Honourable Minister of Finance and Economic Development.

Hon. Marco S. Archer: Thank you, Madam Speaker. I move that a Bill entitled The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, be given a third reading and passed.

The Speaker: The question is that a Bill entitled The Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, 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 Land Holding Companies Share Transfer Tax (Amendment) Bill, 2015, given a third reading and passed.

MOTIONS

GOVERNMENT MOTIONS

**GOVERNMENT MOTION NO. 1/2015-16—
Amendment to the Development Plan 1997 - Pro-**

posed Rezoning: Bodden Town, Block 44B, Parcel 23 – Rosaly Swann Bass – Bodden Town, Block 44B, Parcel 420 – Crown

The Speaker: Honourable Minister of Planning.

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

I beg to move Government Motion No. 1/2015-16, Amendment to the Development Plan 1997, and with your permission I will read the Motion.

The Speaker: Please proceed.

Hon. D. Kurt Tibbetts: The Motion reads as follows:

WHEREAS on 4th September 2013 the Central Planning Authority (CPA) considered an application for the rezoning of Registration Section Bodden Town, Block 44B Parcel 23 from Medium Density Residential and Public Open Space, to Medium Density Residential only (CPA/19/13 Item 4.1). The CPA resolved not to support the proposed amendment to the Development Plan;

AND WHEREAS the CPA reconsidered the application to rezone on 13th November 2013 (CPA 24/13/Item 6.5) and resolved to support relocating the area of Block 44B Parcel 23 that is currently zoned Public Open Space to the easterly portion of the Parcel, with the area that is currently zoned Public Open Space to then be rezoned to Medium Density Residential;

AND WHEREAS the CPA further resolved to take the opportunity to support the rezoning of the Crown's Block 44B Parcel 420 (being the adjoining Coe-Wood Public Beach) from Public Open Space and Medium Density Residential, to Public Open Space only;

It was further resolved to forward the portion of the rezoning application that proposed to rezone the adjoining Coe-Wood Public Beach Public Open Space to Medium Density 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 28th & 31st January and the 3rd & 5th February 2014 respectively, in accordance with Section 11(2) of the Development and Planning Law (2011 Revision), and persons were 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 3rd September 2014 the CPA again reviewed the application in light of the public consultation process (CPA/21/14 Item 4.1) and it was resolved to forward the proposed amendment to the Ministry of Planning with the recommendation that it be forwarded to Cabinet

and subsequently the Legislative Assembly for consideration;

AND WHEREAS on 31st March 2015 Cabinet considered the rezoning application, and approved that the matter be referred on to the Legislative Assembly for consideration.

AND WHEREAS 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 maps of which are attached hereto;

BE IT NOW THEREFORE RESOLVED to rezone the area of Registration Section Bodden Town, Block 44B Parcel 23 that is currently zoned Public Open Space to Medium Density Residential, and to rezone the corresponding easterly portion of the Parcel to be rezoned to Public Open Space; and Registration Section Block 44B Parcel 420 to be rezoned from Medium Density Residential and Public Open Space to Public Open Space only.

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

Hon. D. Kurt Tibbetts: Madam Speaker, this was long, as we all heard, but it is fairly simple and I won't bother with the formalities. Where it is known as Coe-Wood Beach in central Bodden Town, the parcel of land to the west adjoining the two government parcels, had a portion of that parcel zoned as public open space on the western section of that land. The owner of the property asked for that to be rezoned low density residential to make the entire parcel low density residential, but the CPA did not support the application. So when they looked at it, as a compromise, they said they would take the exact square footage of the portion on the west side that was public open space and put it on the east side of the land, which would be adjoining Coe-Wood Beach and then the owner would not have the encumbrance in between another parcel, but rather straight attached on to Coe-Wood Beach.

This application is to do that. And, at the same time, the CPA recognised that one of the two parcels which make up what we call Coe-Wood Beach now was still zoned low density residential. So the rezoning application is also seeking for that parcel to be rezoned as public open space so that the corresponding portion which will now be on the eastern side of the parcel, which is privately owned, will make the entire section public open space.

I would ask for all Members to support the Government Motion.

An Hon. Member: Aye.

The Speaker: Does any other Member wish to speak, or does the "Aye" indicate that we can move to the Minister's right of reply?

Honourable Minister?

Hon. D. Kurt Tibbetts: Madam Speaker, thank you. I think we can take the vote.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED to rezone the area of Registration Section Bodden Town, Block 44B Parcel 23 that is currently zoned Public Open Space to Medium Density Residential, and to rezone the corresponding easterly portion of the Parcel to be rezoned to Public Open Space; and Registration Section Block 44B Parcel 420 to be rezoned from Medium Density Residential and Public Open Space to Public Open Space only.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Government Motion No. 1/2015-16 passed.

**GOVERNMENT MOTION NO. 2/2015-16
Amendment to the Development Plan 1997 —
Proposed Rezoning: West Bay Beach North, Block 17A Parcel 9, Danny Soto, Investor Nominees Ltd.,
Randy Soto, Deputy Ltd.**

The Speaker: Honourable Minister responsible for Planning.

Hon. D. Kurt Tibbetts: Thank you, Madam Speaker. I don't think I will have to take too many breaths with this one.

I beg to move Government Motion No. 2/2015-16—Amendment to the Development Plan 1997, and with your permission I will read the Motion.

The Speaker: Please proceed.

Hon. D. Kurt Tibbetts: Thank you.

WHEREAS on 14th May 2014 the Central Planning Authority (CPA) considered an application for the rezoning of Registration Section West Bay Beach North, Block 17A Parcel 9 from Low Density Residential and Mangrove Buffer, to an expanded area of Low Density Residential and a reduced area of Mangrove Buffer (CPA/12/14 Item 4.1). The CPA resolved to support the proposed amendment to the Development Plan subject to the revised mangrove buffer zone maintaining a minimum width of 50 ft;

AND WHEREAS the proposed amendments were duly advertised in the *Cayman Com-*

pass on 9th, 11th, 17th and 20th June 2014 respectively, in accordance with Section 11(2) of the Development and Planning Law (2011 Revision), and persons were 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 15th October 2014 the CPA again reviewed the application in light of the public consultation process (CPA/24/14 Item 4.1) and it was resolved to forward the proposed amendment to the Ministry of Planning with the recommendation that it be forwarded to Cabinet and subsequently the Legislative Assembly for consideration;

AND WHEREAS on 5th May 2015 Cabinet considered the rezoning application, and approved that the matter be referred on to the Legislative Assembly for consideration.

AND WHEREAS 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 maps of which are attached hereto;

BE IT NOW THEREFORE RESOLVED to alter the zoning area of Registration Section West Bay Beach North, Block 17A Parcel 9 from Low Density Residential and Mangrove Buffer, to an expanded area of Low Density Residential and a reduced area of Mangrove Buffer.

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 if he wishes to reply

Hon. D. Kurt Tibbetts: Madam Speaker, just as a quick explanation, this parcel, Block 17A Parcel 9, is comprised of a parcel of land which is 24.4 acres. The parcel is undeveloped and the Department of Environment estimates that approximately 98 per cent of the vegetation on the site is red, black and white mangrove. The parcel is located on what we would call the terminus, or the end, of Crighton Drive in Governor's Harbour. The property forms a peninsula abutting the marine entrance to Governor's Harbour from the North Sound. And the applicant is seeking to alter the ratio of the low density residential and mangrove buffer zone to enable a residential subdivision to be created.

As it is zoned now, the low density residential area is a very small area of the 24.4 acres and the buffer zone is a much larger area. The front of the property overlooking the North Sound is iron shore and Members will see that the map shows what is

proposed, which retains as per the recommendations of the Department of Environment, a minimum of 50 foot width where it is being proposed as a new buffer zone.

Madam Speaker, in 2012, the applicant applied to the CPA for the parcel to be rezoned from low density residential and mangrove buffer to low density residential only, which would mean there would be no mangrove buffer left. When the CPA met on 20 February 2013, they resolved not to support that application. I think discussions ensued.

So, in 2014 the applicant submitted a new application for amendment to the Development Plan which requested for the retention of a portion of the existing mangrove buffer and the remainder of the parcel to be rezoned to low density residential. After all of the necessary ads were done, and there was a period of objections, and no objections were received, the matter has been forwarded through the CPA to my Ministry on to Cabinet and now here to the Legislative Assembly.

Madam Speaker, let me say that this parcel adjoins what I would call a very active area, where homes are continually being built and because the front of the parcel overlooking the North Sound is iron shore, and not mangrove buffer, then, I think that helps mitigate when DoE and other agencies, including the CPA, were looking at the matter. So, we have the application here in front of us. Government supports the application and I would ask all Members to do likewise.

The Speaker: Does any Member wish to debate? This is a needed amendment for Standing Orders, but nonetheless, does any other Member wish to speak? Final call, does any other Member wish to speak?

Do you wish to express your thanks for tacit support, Honourable Minister?

Hon. D. Kurt Tibbetts: Madam Speaker, assuming that you are right, I so do. Thank you.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED to alter the zoning area of Registration Section West Bay Beach North, Block 17A Parcel 9 from Low Density Residential and Mangrove Buffer, to an expanded area of Low Density Residential and a reduced area of Mangrove Buffer.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Government Member's Motion No. 2/2015-16 passed.

ADJOURNMENT

The Speaker: I recognise the Honourable Premier, Minister of Home Affairs, Health and Culture for adjournment.

The Premier, Hon. Alden McLaughlin: Madam Speaker, before I move the adjournment, I just want to thank all honourable Members of the House for working with us to get through what was a very busy agenda, and to get through Finance Committee. It is not record time, by any means, but we got through it, I think, in a very efficient manner. I am happy to say that we can draw this Meeting of the Legislative Assembly to a close and I therefore move the adjournment of this honourable House, sine die.

The Speaker: The question is that the honourable House be adjourned sine die.

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

AYES.

The Speaker: The Ayes have it.

At 3:45 pm the House stood adjourned sine die.