



**CAYMAN ISLANDS  
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT  
ELECTRONIC VERSION**

**2015/16 SESSION**

**28 April 2016**  
*Second Sitting of the Fifth Meeting*

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

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

**EX OFFICIO MEMBERS OF THE CABINET**

Hon Franz Manderson, JP	Deputy Governor, ex officio Member responsible for the Civil Service
Hon Samuel W Bulgin, QC, JP	Attorney General, ex officio Member responsible for Legal Affairs

**ELECTED MEMBERS**

**GOVERNMENT BACKBENCHERS**

Mr Roy McTaggart, MLA	Second Elected Member for George Town
Mr Joseph X Hew, MLA	Sixth Elected Member for George Town

**OPPOSITION MEMBERS**

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

**INDEPENDENT MEMBERS**

Hon Anthony S Eden, OBE, MLA	<i>Deputy Speaker</i> , First Elected Member for Bodden Town
Mr Alva H Suckoo, MLA	Fourth Elected Member for Bodden Town
Mr Winston C Connolly, Jr., MLA	Fifth Elected Member for George Town
Mr D Ezzard Miller, MLA	Elected Member for North Side
Mr V Arden McLean, JP, MLA	Elected Member for East End

**OFFICIAL HANSARD REPORT  
FIFTH MEETING OF THE  
2015/16 SESSION  
THURSDAY  
28 APRIL 2016  
10:41 AM  
Second Sitting**

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

**The Speaker:** Good morning. I will ask the Honourable Minister responsible for Education to say prayers this morning.

### PRAYERS

**Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs:** 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, the Leader of the Opposition, 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.*

**The Speaker:** Please be seated.

### ADMINISTRATION OF OATHS OR AFFIRMATIONS

**The Speaker:** None.

### READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

**The Speaker:** None.

### PRESENTATION OF PETITIONS

**The Speaker:** None.

### PRESENTATION OF PAPERS AND OF REPORTS

**The Speaker:** None.

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

#### QUESTION NO. 40—CINICO

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

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

Madam Speaker, I beg to ask Honourable Minister of Finance and Economic Development the following question standing in my name: Can the Honourable Minister say if Government is giving any consideration to extending the insurance coverage provided by Cayman Islands National Insurance Company beyond the Health Services Authority?

**The Speaker:** I recognise the Honourable Minister responsible of Finance.

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

Madam Speaker, the Government has given consideration to extending the insurance coverage

provided by Cayman Islands National Insurance Company (otherwise known as CINICO), beyond the Health Services Authority (otherwise known as the HSA).

In July 2014, the Minister for Finance and Economic Development, along with the then-Minister for Health, the Honourable Osbourne Bodden, formed the Health Care Cost Reduction Committee to review the issues that were driving the Government's health care costs and to make recommendations on how the Government should reduce those costs.

Madam Speaker, the Government currently covers the health insurance premium costs and other medical costs for civil servants, civil service pensioners, seamen, veterans, indigents, and the cost of health care for the Government has risen steadily over the years. The Government's health care costs have increased by 2.6 per cent from a budgeted CI\$103.8 million in the 2014/15 Budget to CI\$106.6 million in the 2015/16 Budget. The Government's health care costs account for approximately 20 per cent of the Government's operating expenses.

Madam Speaker, part of the Health Care Cost Reduction Committee's discussion included choice of medical providers where civil servants, civil service pensioners, seamen, veterans, and other members covered by CINICO would have the choice of going to private sector medical providers in order to receive medical services. Offering choice of medical providers, Madam Speaker, however, will increase the Government's health insurance premiums, and more than likely, reduce the usage and service of the HSA. With choice of medical providers, Madam Speaker, the Government will not be able to sustain or afford to pay the expected increase in the cost of health insurance premiums on its own. This would require further consultation and consideration by the Government and stakeholders with respect to co-pay.

It should be noted, Madam Speaker, that patients who visit the HSA are referred to private sector medical providers if the HSA cannot provide the required medical services.

Thank you.

**The Speaker:** I recognise the Honourable Member for North Side.

## SUPPLEMENTARIES

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, I wonder if the Minister could give us the names of the people who made up this Health Care Cost Reduction Committee.

**The Speaker:** Honourable Minister of Finance.

**Hon. Marco S. Archer:** Madam Speaker, I could get that information for the Honourable Member from North Side. But I can tell him that the agencies. I can

get the individual names for you, but right now I can name the agencies. It was the Ministry of Finance, the Ministry of Health, CINICO, the HSA, and I think there were some representatives there from the DCFS [Department of Children and Family Services] and the NAU [Needs Assessment Unit]. I think those are the six agencies that were involved in the discussions, but I can get you the individual names, sir, if that would be required.

**The Speaker:** Honourable Member for North Side.

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, the Minister accepts and predicts that there would be an increased cost if we allowed those covered by CINICO to go to private providers. Is the Minister not aware of what is known in the industry as "preferred providers" and can the Minister state that private providers have been contacted and that they have insisted that they would charge more than the HSA for the services rendered to CINICO patients?

**The Speaker:** Honourable Minister for Finance.

**Hon. Marco S. Archer:** Madam Speaker, I would seek clarity because I am not sure if. . . I think he said that private providers have been contacted and said that they would charge more? Is that—

*[Inaudible interjections]*

**Hon. Marco S. Archer:** Okay. I understand the question now, Madam Speaker.

Madam Speaker, I do not pretend to have depth of knowledge or experience in the medical services industry. I am going from what was discussed during those meetings and what has been the information provided to me by the staff in the Ministry who would have consulted CINICO, as well as discussions with the Health Ministry, over time.

**The Speaker:** Member for North Side.

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, can I ask the Minister to give this House a commitment that this matter will be revisited? I am aware of several private providers who would be happy to render service to CINICO covered patients at the HSA rates. So there is no need to predict an increase in the cost.

**The Speaker:** Honourable Minister responsible for Finance.

**Hon. Marco S. Archer:** Madam Speaker, the matter has been discussed with the Committee that I spoke of earlier. It was accepted by the Cabinet, and it is now with Project Future Office for them to look through the various requirements in terms of discus-

sions with the various stakeholders, so I wouldn't give the honourable Member an undertaking to revisit the matter, but what I would say is that implementation of such proposals would be vetted by the Project Future Office and the various Government agencies and civil servants, whoever, that would have a say in the discussion.

I would accept that perhaps, Madam Speaker, there are medical service providers who would give such an undertaking, but it would require that the enter into contracts with the Cayman Islands National Insurance Company to ensure that having given the undertaking they can be held to those numbers that they have said that they would provide the services for. What we would not want is to give an undertaking and not have a contract in place to ensure that we can get what we said we would get. But that is something that, again, having put the policy in place it would now be for the Project Future Office that is managing that process now going forward.

**The Speaker:** Member for North Side, is there a follow up?

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, can the Minister confirm that CINICO does, in fact, have now what is called in the industry "preferred providers" with which they have contractual relationships on agreed charges, other than the HSA?

**The Speaker:** Honourable Minister for Finance.

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

Madam Speaker, in response to the question, the answer is: Yes, CINICO has a contract with—forgive me; I don't remember the exact name—but what is commonly known as "Health City Cayman Islands". To ensure that we would get the rates they said that we would get, we made sure that there was a contract in place and, presumably, if and when we have progressed to the stage, we would then put in place contracts with anyone who said they could provide the service at the same rate.

Madam Speaker, I believe that if you are going to do something based on a promise, put it in writing and then the country is the beneficiary of that.

Thank you, Madam Speaker.

**The Speaker:** Honourable Member for North Side.

**Mr. D. Ezzard Miller:** Can the Minister say whether there was any other consideration to have contracts with other local providers other than Health City? And what is the reason why Health City was singled out?

**The Speaker:** Honourable Minister of Finance.

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

Madam Speaker, the reason why a contract was entered into with Health City was because there were referrals being made from the HSA to Health City, and of course, Health City was able to provide a range services that was also being provided by the HSA. So it was prudent to have in place a contract with them. I am not aware as to whether or not there were discussions with other medical service providers, so if the Member would give me one second, I will confer with my staff to find out.

Thank you, Madam Speaker.

*[Pause]*

**The Speaker:** Honourable Minister of Finance.

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

Madam Speaker, I have just been informed that the reason why Health City Cayman Islands is the only medical service provider with a contract is because they are the only tertiary care provider in the country, and because of the—and forgive me if I don't get all the medical terminology correct, but I presume that the Honourable Member will understand what I am saying. Because of the rates, the DRGs, and so on and so forth, and they were offering a discount, we wanted to ensure that whatever was said verbally was put in the contract that the Government and the country would then benefit from it.

As to why there isn't a contract with other medical service providers on the Island, Madam Speaker, they are either primary or secondary care which is what the HSA provides and the volume of business to those other medical service providers wasn't sufficient enough that warranted a contract with them and also the fact that the standard health insurance fees also mandate what they can charge. So that is the reason, Madam Speaker, as to why there is a contract with Health City, and no contract with— with Health City there is a tertiary level care provider and no contract with the other primary and secondary health care providers, outside the HSA.

**The Speaker:** Member for North Side, I will allow two more supplementaries.

*[Inaudible interjections]*

**The Speaker:** I have just given you five, sir.

**Mr. D. Ezzard Miller:** Can the Minister confirm that the only services included in the contract with Health City are tertiary care services, no primary and no secondary cases are included in that contract with Health City?

**The Speaker:** Honourable Minister of Finance.

*[Pause]*

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

Madam Speaker, what has been explained to me, and, as I have said before, medical terminology sometimes will stop me in my track. In providing tertiary care, it is sometimes necessary to also provide primary and secondary care, but in those cases the primary and secondary care costs are charged at the shift fee rate, and the tertiary level care is then, for matters related to the DRG, pricing, and that is then governed by the contract. So, the same patient might get primary, secondary and tertiary care because if they are being referred to that institution, you have to do that for that purpose. But of those primary and secondary, they are covered by the shift and the tertiary is then governed by the contract, Madam Speaker. But it would only be necessary to do primary and secondary in conjunction with the tertiary care.

**The Speaker:** Last supplementary from the Member for North Side.

**Mr. D. Ezzard Miller:** *[Member's microphone is not on so can only hear him very faintly]* Can the Minister confirm that other secondary care provider, particularly in the realm of [INAUDIBLE] procedures exist locally who are not enjoying the benefit with CINICO at Health City, even though they will only be charged the standard insurance rate?

**The Speaker:** Honourable Minister responsible for Finance.

**Hon. Marco S. Archer:** Madam Speaker, I beg your indulgence to speak with my staff. Thank you.

*[Pause]*

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

Madam Speaker, the answer is yes. There are other medical service providers who are able to provide secondary care, but when the chief medical officer or the CMO . . . or when the physician and the CMO is making the referral, they would decide that if the secondary medical service provider can only do a diagnostic, it is more efficient to send the patient to the health service provider who can do both the secondary care diagnosis and the tertiary care treatment. So that is the reason why they are being sent to the Health City Cayman Islands as opposed to another secondary care provider who can only make the diagnosis, and in the end, they are still going to have to be sent to the tertiary care provider.

Thank you, Madam Speaker.

**The Speaker:** Member for East End, will you give way to the—

**Mr. V. Arden McLean, Elected Member for East End:** Yes, Madam Speaker.

**The Speaker:** Member for North Side.

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, the Minister says the co-pay, I assume, possibility for civil servants has been referred to Project Future, how does the Minister expect to get acceptance of co-pay from civil servants who don't currently pay, if he doesn't allow choice of providers at HSA rates?

**The Speaker:** Before calling on the Minister of Finance, I recognise the Honourable Premier to move the suspension of Standing Order 23(7) and (8).

#### **SUSPENSION OF STANDING ORDER 23(7) and (8)**

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

Madam Speaker, I beg to move the suspension of Standing Order 23(7) and (8) in order that Parliamentary Questions may continue to be asked and answered after the hour of eleven o'clock.

**The Speaker:** The question is that Standing Order 23(7) and (8) be hereby suspended to allow Question Time to continue beyond the hour of 11:00 am.

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

**AYES.**

**The Speaker:** They Ayes have it.

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

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

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

Madam Speaker, I would beg that the Honourable Member repeat the question, please.

**The Speaker:** Honourable Member for North Side.

**Mr. D. Ezzard Miller:** How does the Minister expect to get acceptance from existing civil servants of co-pay for their health insurance if they are not given choice as an alternative at the current HSA rates of charge?

**The Speaker:** Honourable Minister for Finance.

**Hon. Marco S. Archer:** Madam Speaker, I think it is already been pretty much accepted that the civil service will move to co-pay by the year 2018. It is the finer details that are being worked out between their Project Future Office and the portfolio of the Civil Service, and the various agencies, and I think maybe even the Civil Service Association. So it is accepted that they will move the co-pay with choice, but it is the

finer details as to how much, where, when—those issues.

Hopefully, Madam Speaker, that answers the question. I don't have all the details here, but it is a given. The Honourable Deputy Governor made a statement, I think it was sometime last year in the House, that we would be progressing to that by 2018.

**The Speaker:** Madam Clerk, next question.

#### QUESTION NO. 41—CLINICAL QUALITY AT HSA

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

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

Madam Speaker, I beg to ask the Honourable Premier, Minister of Home Affairs, Health and Culture the following question standing in my name: Can the Honourable Minister say how clinical quality is established and monitored at the Cayman Islands Health Services Authority?

**The Speaker:** I recognise the Honourable Premier.

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

Clinical quality is established by structure, process and outcome standards across the professions and departments (sections). All standards are set to meet international indices for practice according to current evidence. There is a subcommittee of the Board, the Clinical Subcommittee, comprised of physician heads of department, chaired by the Chairman of the Board that is established with one of its goals being to conduct internal audits and pay reviews to improve clinical outcomes. Clinical quality is monitored for staff and privileged physicians.

The following committees were established to monitor clinical quality:

- Drugs and Therapeutics Committee—evaluates and makes decisions about drug use for safeguarding and promoting efficient and rational use of medicines;
- Perinatal Committee—reviews and evaluates perinatal care and statistics to ensure that the care provided on the Maternity Unit is safe in accordance with professional standards of practice and minimises risk to the patient;
- Clinical Quality Committee—sets internationally recognised evidence-based clinical quality standards for the Health Services Authority;
- Clinical Practice Review Committee—conducts clinical peer reviews, monitors and reviews clinical medical practice at the HSA in order to identify opportunities for improvement of clinical care within the service.

In addition, there are risk management, quality assurance, infection control, and occupational

health and safety programmes in place to develop, implement and monitor the operational aspects of safety and quality in all HSA facilities. Monitoring is done monthly, quarterly, and annually through a reporting structure using benchmarks with hospitals of similar size. The following are areas looked at:

- Untoward/unexpected incidents and near misses;
- Medication errors;
- Patient falls;
- Complaints;
- Employee accidents/injuries;
- Hospital-acquired infection.

The quality and risk management programme covers all potential sources of risk within the organisation. Although the main focus is on medical and professional liability, other categories of risk are equally important. The following are the committees established to inform practice, and monitor patient safety and outcomes:

- Infection Control Committee;
- Health and Safety Committee;
- Code Blue Committee;
- Patient Safety and Quality Improvement Committee;
- Patient Services Committee;
- Policy Oversight Committee.

**The Speaker:** If there are no supplementaries—Member for North Side.

#### SUPPLEMENTARIES

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

Madam Speaker, the Minister refers in his answer, to the subcommittee of the board, clinical subcommittee comprising of physicians' heads of departments chaired by the chairman of the board. And it is established with one of its goals to conduct internal audits and pay reviews. Can the Minister say how many internal audits and pay reviews were conducted over the last year?

**The Speaker:** Honourable Premier.

**The Premier, Hon. Alden M. McLaughlin:** Madam Speaker, I crave your indulgence to confer with my chief.

**The Speaker:** Certainly.

**The Premier, Hon. Alden M. McLaughlin:** Madam Speaker, I regret we do not have that level of detail here, but if the Member will indicate precisely what it is he wishes—is it the overall number of reviews? Or is it specific to the medical subcommittee?—I will undertake to have the information provided to him.

**The Speaker:** Member for North Side.

**Mr. D. Ezzard Miller:** Through you, Madam Speaker, I thank the Minister for the undertaking. What I want to know is how many internal audits and pay reviews were conducted by this clinical subcommittee during the calendar year of 2015.

And a follow-up question would be: Does this clinical subcommittee have the ability to co-opt experts, in particular, medical specialties to review particular cases? And, is that a normal occurrence, or...?

**The Speaker:** Honourable Premier.

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

Madam Speaker, it is quite possible and permissible for the board or the committee to co-opt the necessary expertise to assist with these reviews. But, again, we don't have here the detail in relation to how many occasions this has actually occurred. If the Member wants that level of detail, we shall seek to obtain it for him.

**The Speaker:** Member for North Side.

**Mr. D. Ezzard Miller:** Yes, Madam Speaker, I need the level of detail to have the assurance that these things are actually happening. Because it is one thing to have it on paper, it is another to have it in practice. Can the Member say what medical specialty does the chairman of the board who chairs this clinical subcommittee possess?

**The Speaker:** Honourable Premier.

**The Premier, Hon. Alden M. McLaughlin:** Madam Speaker, as I expect, the Member already knows the chairman of the HSA is not a medical professional. He is Mr. Jonathan Tibbetts. I think it is generally well known. So he would not have any medical specialties.

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

#### QUESTION NO. 42—CAESAREAN BIRTH PERCENTAGE AT HSA

**The Speaker:** I recognise the Member for North Side.

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

I beg to ask the Honourable Premier, Minister of Home Affairs, Health and Culture the following question standing in my name: Can the Honourable Minister say what percentage of births at the Cayman Islands Health Services Authority are by caesarean section and how does the ratio compare to international standards?

**The Speaker:** I recognise the Honourable Premier.

**The Premier, Hon. Alden M. McLaughlin:** Madam Speaker, the answer:

At the Health Services Authority, the rate of caesarean sections for 2015 was 43 per cent (private and public combined). This rate has increased by 13 per cent over the last 10 years.

Caesarean section rates in other countries:

1. USA—30 per cent;
2. United Kingdom—2008, 24 per cent; 2014, 26.2 per cent;
3. Cyprus—52 per cent;
4. Sweden—17 per cent;
5. Brazil—82 per cent (private hospitals), 50 per cent (public hospitals).

The reasons for the overall increase in caesarean sections globally are:

1. Increased repeat caesarean sections;
2. Breech presentation;
3. Threat of malpractice;
4. Maternal request—preference over vaginal delivery because of fear of vaginal births;
5. Preservation of pelvic tissues;
6. False positive results indicating foetal distress;
7. Electronic foetal monitoring.

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

#### QUESTION NO. 43—GATHERING OF PERSONAL AND PRIVATE INFORMATION

*[Deferred]*

**The Speaker:** I recognise the Honourable Leader of the Opposition.

*[Pause]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, I would wish to move this question to another day.

**The Speaker:** The question is that Question 43 as it appears on the Order Paper today be moved until a future date.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 43 deferred.**

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

**QUESTION NO. 44—PROPOSALS TO BAN  
TAKING OF FISH**

**The Speaker:** I recognise the Honourable Member from the District of East End.

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

The Question No. 44 standing in my name is asked of the Minister responsible for the Environment: Can the Honourable Minister say, if there has been any proposals to ban the taking of additional species of fish from Cayman waters, if so, which species?

**The Speaker:** Honourable Minister responsible for Environment.

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

Madam Speaker, the short answer is "No." There are no proposals for an outright ban on the taking of any species of fish.

The only species which have a total prohibition on take are those listed on Part 1 of Schedule 1 of the [National Conservation Law](#), namely: Goliath Grouper, which is currently on the IUCN Red List as Critically Endangered, Tilefish, Filefish, Angelfish, which were previously protected under the Marine Conservation Law, and shark and rays, which are important commercially as well as important top predators in our marine ecosystems.

Ongoing studies continue to show us that many species of sharks and rays are not as abundant in local waters as previously believed.

All other species are managed through a combination of size limits; that is, all fish caught must be 8 inches or larger, (12 inches or larger for Nassau Grouper); catch limits (which applies to spearfishing only); gear restrictions or regulations (for example, no taking of anything while on SCUBA); and spear gun and fish pot licencing; closed seasons for certain species such as the Nassau Grouper during its spawning season; and certain protected areas (for example, no fishing in Marine Parks Zones and Environmental Zone, and no fishing in grouper spawning areas during the spawning season).

The proposals for an enhanced system of marine parks propose the creation of Marine Protected Areas, where the take of any species would be prohibited.

The provisions for the protection of Nassau Grouper under the new National Conservation (Conservation of Species) Regulations include a prohibition on the take of Nassau Grouper anywhere in Cayman waters during the spawning season from December through the end of April each year.

Thank you, Madam Speaker.

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

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

Madam Speaker, I wonder if the Minister can tell us how the studies are being conducted to show that species of sharks and rays are not as abundant in local waters as previously believed.

**The Speaker:** Honourable Minister for the Environment.

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

Madam Speaker, I don't have the specific information. In response to the question, I can certainly obtain it. In general, I can indicate to the Member that I am aware of a number of ongoing studies conducted by several overseas or international institutions in conjunction with the—I think it is called the Guy Harvey Ocean Foundation, or something to that affect. They have been both assessing periodically the population of sting rays, as well as sharks, and in fact, Madam Speaker, I think over the last several years in particular, the Guy Harvey Ocean Foundation has been involved in the assessing of the local population of oceanic White Tips, for example. So those are the types of programmes that I am aware of. I can certainly seek to provide a more fulsome answer in writing to the Member. Thank you.

**The Speaker:** Honourable Member for East End.

**Mr. V. Arden McLean:** Well, Madam Speaker, I appreciate that gesture by the Minister to provide more detail of that specific programme that is being done.

Madam Speaker, it is highly rumoured—and I understand that it is "rumoured" that the Government was considering a ban, or a partial ban, or whatever, or restrictions on the taking of snappers, particularly mutton snappers, and lagoon snappers. We know what we're talking about. And I understand that, Madam Speaker, but is there any truth to those rumours, because they are coming from certain quarters that seem to have a little more authority over control than the DOE.

**The Speaker:** Honourable Minister for the Environment.

*[Inaudible interjection]*

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

Madam Speaker, I can indicate to the Member for East End that at present the Government is not considering any such restrictions or limitations on the take. No such proposals have been discussed with me through the Ministry, and I am not aware of any serious consideration being giving to such a proposal. I am aware, Madam Speaker, that from time to time representations have been made by even fishermen

in the country that there is too much of an emphasis being placed on taking some of the spawning fish, including lagoon snappers, in particular, when they are in the spawning areas outside the reef. But aside from that, I am not aware of any specific proposals under consideration at this point. Thank you.

**The Speaker:** If there are no further supplementaries, we will move on.

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

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

### **LABOUR (NATIONAL MINIMUM BASIC WAGE) ORDER, 2016**

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

Madam Speaker, I rise today to make a statement in relation to the Government's passage and implementation of the Labour (National Minimum Basic Wage) Order, 2016 which became effective on the 1<sup>st</sup> March 2016.

Madam Speaker, although significant legislative reform is currently underway as it relates to the Labour Law, the Government took the decision to implement a national minimum wage by way of an Order from Cabinet in accordance with section 20 of the current Labour Law (2011 Revision).

Madam Speaker, at this time last year I had the pleasure of presenting to the Members of this honourable House a report on establishing a minimum wage regime in the Cayman Islands which was completed by the Minimum Wage Advisory Committee. It was around this time last year in May 2015 in which the Premier, the Honourable Alden McLaughlin, Jr., first announced the Government's intention to implement a minimum wage regime on the 1<sup>st</sup> of March, 2016, in order to give the community nine months prior notice, of its implementation.

Madam Speaker, over the last 30 years, and indeed the past 15 years in particular, there has been various national discussions, there has been much talk around the issue of a minimum wage, or a lack thereof in the Cayman Islands. Yet, Madam Speaker, the provisions to establish a minimum wage have existed in the Labour Law since the law was first enacted in 1987. I'm therefore pleased, Madam Speaker, to stand before the Members of this Honourable House and say that this coalition Government has achieved this historic milestone and we now have a national minimum wage operational in the Cayman Islands today.

The Labour (National Minimum Basic Wage) Order, 2016, speaks specifically to how the minimum wage regime works, how it should be applied for employees under a registered gratuities scheme, how it affects live-in domestic employees, and how employers should compensate [employees] who are working on a commission basis. For the benefit of the record, Madam Speaker, the Labour (National Minimum Basic Wage) Order, 2016 includes the following pertinent provisions.

The minimum wage payable to all employees is CI\$6.00 per hour gross except for those service employees of an employer who has a gratuities scheme in place that has been approved in writing by the Director of Labour and Pensions.

Any employer who has a gratuities scheme in place that has been approved in writing by the Director of Labour and Pensions, must pay service employees a minimum of CI\$4.50 per hour gross directly from the employer.

Any employer with a live-in household employee is allowed no more than CI\$1.50 per hour as an in-kind credit for providing accommodations and utilities for the employee. This means that the employee shall be paid a minimum of CI\$4.50 per hour gross in monetary compensation.

Any employer with employees working on a commission basis may use no more than CI\$1.50 per hour to be allocated from the commission earned by the employee to put towards making the national minimum basic wage of that employee. That is, Madam Speaker, the employees must be paid a minimum of CI\$4.50 per hour gross directly from the employer. It should be noted, however, that including commissions in the computation of the wages of an employee must not prevent the employee from receiving all commissions earned.

The minimum wage payable is applicable to every hour worked within a standard work week or standard work day depending on the defined pay period. No employee, including service employees, live-in household domestics, and commission-based employees must receive less than their respective national minimum basic wage when the employer calculates their sick, vacation, maternity or other applicable leave. And for the avoidance of doubt, the employer of a live-in domestic employee may continue to calculate any allocated in-kind benefits for accommodations and utilities during leave periods.

Madam Speaker, the Order was drafted to incorporate the spirit of the recommendations contained in the Minimum Wage Advisory Committee's report which was presented and subsequently accepted by the Government in 2015. However, because the current definition of "wages" in the Labour Law does not include gratuities, the Minimum Wage Advisory Committee's recommendation to allow for no more than CI\$1.50 of gratuities to be used toward making the

CI\$6.00 minimum wage will be appropriately addressed in the revised labour legislation.

Based on the numerous comments received on the draft Labour Relations Bill, 2015, which was put out for public consultation last year, the draft Labour Relations Bill is currently being amended and it is anticipated that the revised Labour Relations Bill will be brought to the House later this year.

The formal adoption by Cabinet of the Labour (National Minimum Basic Wage) Order, 2016 is a culmination of the work of the Ministry and the Government which began in January 2014.

Madam Speaker, I would like to take this opportunity to again express my sincerest gratitude on behalf of the Ministry and the Government to the members of the Minimum Wage Advisory Committee for bringing our country to this historic occasion. Their contribution was necessary and, indeed, invaluable to this process.

Madam Speaker, as a country and Government, we have a responsibility to the members of our local work force to help to ensure that their minimum needs can be met in light of national economic and social conditions. Based on the research compiled and the economic analysis conducted by the Minimum Wage Advisory Committee the guidance provided by the experienced ILO [International Labour Organization] labour economist, acting as a technical advisor, and considering the input from all persons who participated during the process, the Government agreed with the recommendations made by the Minimum Wage Advisory Committee that CI\$6.00 wage per hour is an appropriate rate to use at this time to achieve the policy objectives.

Madam Speaker, determining the appropriate minimum wage was definitely a balancing act. The Government had to consider the impact on both employers and employees. Through the work of the Minimum Work Advisory Committee, the Cayman Islands—Economic Vulnerability Threshold [(CI-EVT)] was established. This threshold represents the minimum amount that a worker needs to earn in order not to slip below the poverty line. This was determined to be CI\$5.22 per hour per income earner. Keeping in mind that the policy objectives of the national minimum wage was to address exploitation, and to provide real relief to the lowest paid workers, we obviously did not want to set the wage below the Cayman Islands—Economic Vulnerability Threshold figure. In fact, we did not want to introduce a minimum wage whereby people may end up living on, or fall below, the poverty line in the event of any unforeseen changing economic conditions. However, Madam Speaker, at the same time we did not want to put employers in some industries in a position where they could not afford to hire workers because the minimum wage was too high. Therefore, it was determined that CI\$6.00 per hour is a reasonable minimum wage at this time given those considerations.

The truth is, for many of the low wage employees in the Cayman Islands the new minimum wage will actually mean an increase in salary, and this means they will be better equipped financially to provide for themselves and their families. According to the Minimum Wage Advisory Committee's report, the CI\$6.00 per hour minimum wage would directly benefit an estimated 5,962 employed persons or 15.8 per cent of the entire employed labour force in the Cayman Islands, 3,362 are considered business employees, 2,600 are considered household employees, 1,524, or 25.6 per cent, are Caymanian, and 4,438, or 74.4 per cent, are non-Caymanians, which includes, Madam Speaker, persons married to Caymanians as well as permanent residents.

Madam Speaker, as a country we cannot continue to facilitate the importation or perpetuation of poverty in our society, and this is one way in which the Government has chosen to address this issue. The national minimum basic wage represents the lowest acceptable wage that an employee should earn in exchange for his or her labour in the Cayman Islands. But, Madam Speaker, it does not necessarily represent the ideal or appropriate wage for some jobs or industries. The minimum wage is the absolute wage floor in which employers and employees can, by law, agree to; however, Madam Speaker, the parties are free to, and should negotiate for higher wages and compensation that are reasonable given the economic conditions, the nature of the job, the industry standards, et cetera.

Madam Speaker, I am pleased to report to this Honourable House that since the implementation of a National Minimum Basic Wage Order last month, the Ministry and the Department of Labour and Pensions [DLP] embarked on a massive public education campaign in order to inform employers and employees about their responsibilities and rights under this new regime. In addition to appearing on various radio and talk shows to educate the general public, the Ministry and the Department of Labour and Pensions have also produced a brochure containing frequently asked questions related to the minimum wage. Madam Speaker, this brochure, along with the Labour (National Minimum Basic Wage) Order, 2016, is available on the Ministry's website at [www.education.gov.ky](http://www.education.gov.ky) and the Department of Labour and Pensions website.

Madam Speaker, I am also pleased to say that the Government is about to launch another public service in regard to the minimum wage through the introduction of a minimum wage calculator. The Department of Labour and Pensions will be providing the minimum wage calculator for general illustrative and informational purposes only as it is meant to assist persons in determining if they are being paid wages in accordance with the Labour (National Minimum Basic Wage) Order, 2016. The minimum wage calculator will be housed on the Department of Labour and Pensions

website, that is, [www.dlp.gov.ky](http://www.dlp.gov.ky) which is scheduled to launch by the second week of May 2016.

In an effort to be proactive with the enforcement of the Minimum Wage Order, the Department of Labour and Pensions, the agency responsible for enforcing labour legislation and regulations, will have conducted approximately 21 minimum wage inspections in April 2016, not including gratuities inspections which will also include components on minimum wage inspections.

While, to date, the DLP has fielded many calls from persons seeking information on the minimum wage regime there have been no confirmed breaches against the Order as yet, nor any tips received on the Confidential Tip Line. As part of its inspections work, the department will continue to remind employers of their obligations to comply with the Order and continue to incorporate minimum wage inspections within its audit work.

Additionally, Madam Speaker, it would be remiss of me not to mention the Department of Labour and Pensions enforcement of the Minimum Wage Order is also being assisted with the collaborative efforts and information sharing with other Government departments such as the Immigration Department and the National Workforce Development Agency. I would also like to take this opportunity to inform and encourage members of the listening audience that they can assist the Department of Labour and Pensions enforcement efforts by utilising the department's Confidential Tip Line, that is, 945-3073, to report employers who are not paying employees the national minimum basic wage or who are committing other breaches of the Labour Law.

Madam Speaker, while we can proudly say that this coalition Government has achieved a monumental goal of implementing a minimum wage regime in the Cayman Islands, the first of its kind from many decades, we know that this is not the end but just the beginning. In order to ensure that having a minimum wage is meeting the needs of the country, and the stated policy objectives of the Government, it is expected that the national minimum basic wage will be studied and reviewed by technical experts and future minimum wage advisory committees on a regular and intermittent basis going forward. It is anticipated that the monitoring and evaluation procedure for the minimum wage regime, will also be addressed and contained in the legislation of the revised Labour Relations Bill.

I trust that the information provided here today, Madam Speaker, has been useful as an update to the Honourable Members of this House and to the members of the public regarding the passage and the implementation of the Labour (National Minimum Basic Wage) Order, 2016. I look forward to bringing and receiving support for the additional labour legislative reform.

Thank you, Madam Speaker.

## PERSONAL EXPLANATIONS

**The Speaker:** None.

## OBITUARY AND OTHER CEREMONIAL SPEECHES

**The Speaker:** None.

## RAISING OF MATTERS OF PRIVILEGES

**The Speaker:** None.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

#### PRIVATE MEMBER'S MOTION NO. 15/2015-2016— SEAMAN'S MONETARY GRANT

**The Speaker:** I recognise the Honourable Leader of the Opposition.

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

Madam Speaker, I beg to move Private Member's Motion No. 15/2015-2016, entitled Seaman's Monetary Grant. It reads as follows:

**WHEREAS the Seaman's Monetary Grant and other benefits that are given to former seamen of the Cayman Islands is currently extended to their spouses upon the death of the seamen.**

**AND WHEREAS there is evidence of the need of Handicap persons who are the children of deceased former seamen.**

**AND WHEREAS upon the death of the spouse of former Seamen, their Handicap children do not receive the monetary grant or any benefits.**

**BE IT NOW THEREFORE RESOLVED that Government considers extending the grant and any benefits to handicapped children of deceased former Seamen.**

**The Speaker:** Is there a seconder?

**Mr. Bernie A. Bush, Third Elected Member for West Bay:** Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate.

Does the Honourable Leader of the Opposition wish to speak on his Motion?

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

Madam Speaker, the Motion is quite clear and firstly I would say that as we hear, and as we know, over the years Government expends on grants, gives,

helps, assist various people in our country who need. It is getting to the point where it has become a problem, as the Minister outlined yesterday. I don't think that what I am asking, Madam Speaker, is out of place, and in any way exorbitant, or in any way will put any tremendous pressure on Government that they can't deal with, because there are not many cases, but very few in this instance.

Madam Speaker, yesterday we heard about the sad state of affairs of the many requests of persons in need of assistance from the Social Services Department. We also heard that there are an enormous amount of situations where fathers are failing their responsibilities in not providing for their children. Sadly, Madam Speaker, this is the kind of world that we are living in. It didn't start today either, Madam Speaker, and here I am presenting a request that Government assist some children which means more expenditure, but, as I said, this is but a few cases. And this is a different situation.

Madam Speaker, thankfully, in spite of negligence, we can still laud fatherhood in many instances in our country. Thank God, Madam Speaker, that while the bad fathers get the publicity all the time, we do have a tremendous amount of good fathers who take care of their children; those in wedlock and those not in wedlock. There are good fathers who do so.

I encourage and praise those, especially young fathers, when I can in church or in the community whom I see doing so much for their children, paying attention to their needs in school, taking them to their sporting events, fishing in their leisure time, spending quality time with them. Thank God I can say to the House that I have one son, and I am proud my son whom I observe with his two sons and I am glad and eager to get involved as a grandparent and do anything I can to help him and encourage him.

I know about of others as well, I observe, Madam Speaker, I know my colleague, the First Elected Member for Bodden Town, takes more than a keen interest with his sons. I remember when they were in primary school and the other children in that age group, he used to take them around in his truck to the sporting events. I know that his sons are now grown up. They take seriously their responsibility as fathers. As I said, there are many others who take responsibility as fathers.

Madam Speaker, so as fathers ourselves, we are not only proud to do whatever we can to help our sons fulfil their responsibility, but we feel it is our responsibility too as grandparents. It gives me, Madam Speaker, much joy when they are in my house and I can go somewhere with them and see them enjoy themselves. Just to see them smiling about a new pair of sneakers, or how they can compete with each other (because children do that) it brings joy to my heart. Waking up in the morning, Madam Speaker, and hear them say, *Good morning, Papa*, well, I thought some

years ago I wouldn't enjoy that so much, being called that so early, but believe you me, it is a joy.

Madam Speaker, songwriters help us to enjoy them, and they wrote—one did, Cushing, wrote:

**“When He cometh, when He cometh  
To make up His jewels,  
All His jewels, precious jewels,  
His loved and His own.”**

And I was here this morning remembering, as my mother blew out the lamp, this was one of the song she would sing to us.

**“Like the stars of the morning,  
His [bright crown] adorning,  
They shall shine in their beauty,  
Bright gems for His crown.”**

Who was he talking about? Our children. And I think back, that am I one of those that give God so much thanks [that] I had a mother who was all that to me as a son, and more. She was both my mother and father. But it is, Madam Speaker, early in losing her so I had better stop here lest I lose my composure. But, alas, Madam Speaker, we live in a different world from the one I even grew up in of being a boy of 10 in the 1960s. It is a difficult world we live in.

Madam Speaker, I would hope that Government will understand the need our Motion underscores. These are not a lot of cases, but the need is there in a few cases where a deceased seaman left to his spouse, spouse is deceased, and has left handicapped children who are struggling even with what help family can and do give. And all we are asking is that we extend that benefit which stops after the seaman is deceased, or his spouse has deceased, to give that benefit to them.

Five hundred [dollars] to two adult handicap children, is \$250 per person per month. That can't go far in today's economy, but it will help by adding to what any family member might do. Those dear souls, Madam Speaker, most times can't help themselves. And sometimes Government is giving, sometimes they are not. Just to say. But they can help. Light bills are very high, still, in their circumstances and other costs all add up, Madam Speaker, to a situation where what family can do to keep up a house. And we often have to look at that. And oft-times is old and has to be repaired over and over and often again.

And so, Madam Speaker, these situations become difficult and unmanageable in many instances. And these are the ones that I am talking about and Government would have to do their due diligence in ensuring that the need is there. I ask Government, Madam Speaker, to accept this Motion, realising that it is not a lot of cases. But in the case of handicap children, or child, it is more or less an obligation of the Government to give and be able to assist to ensure that that handicap person has the quality of life that we believe they should have in this modern world.

So, Madam Speaker, I am not—I hope, as I said, Government will take the Motion as it is, that we are asking, and will commit to look at it. We are saying consider it; we are not saying they must do it, but I hope that they will look at it.

Madam Speaker, we are entering *Child Month*. I think I had an invitation somewhere. This Sunday, I think, it begins. As I said, Madam Speaker, nothing is more precious than our children. The hymn writers did not write for naught, Madam Speaker. Here is what they said, again, for our upliftment, for us to praise, and to help us realise our responsibilities to our children, and those [in] our surroundings who we might influence.

Ann Gilbert wrote:

**“GREAT God, and wilt Thou condescend  
To be my Father and my Friend?  
I, a poor child, and Thou so high,  
The Lord of earth, and air, and sky?”**

...

**“Art Thou my Father? I’ll depend  
Upon the care of such a Friend;  
And only wish to do and be  
Whatever seemeth good to Thee.”**

I know some of us here will recognise some of these, Madam Speaker, because I know some parents would have thought—and I know some who went to Sunday School—would have heard these in their time in attending Sunday School:

**“Father, our children keep!  
We know not, what is coming on the earth;  
Beneath the shadow of Thy heavenly wing,  
O keep them, keep them,  
Thou who gav’st them birth.”**

**“Father, draw nearer us!  
Draw firmer round us Thy protecting arm;  
Oh, clasp our children closer to Thy side,  
Uninjured in the day of earth’s alarm.  
Them in Thy chambers hide!”**

**“O, hide them and preserve them calm and safe,  
When sin abounds and error flows abroad,  
And Satan tempts, and human passions chafe.**

**O, keep them undefiled!  
Unspotted from a tempting world of sin;  
That, clothed in white, through the bright city gates,  
They may with us in triumph enter in.”**

Madam Speaker, the next hymn writer wrote:

**“Jesus, Friend of little children,  
Be a friend to me;  
Take my hand, and ever keep me  
close to thee.”**

Another one wrote:

**“Jesus, tender Shepherd, hear me;  
Bless Thy little lamb tonight;  
Through the darkness be Thou near me;  
Watch my sleep till morning light.”**

[And another]:

**“Loving shepherd of thy sheep,  
Keep me, Lord, in safety keep;  
Nothing can thy pow’r withstand,  
None can pluck me from [my Saviour’s]  
hand.”**

**“Loving shepherd, thou didst give  
Thine own life that I might live;  
May I love thee day by day,  
Gladly thy sweet will obey.”**

Madam Speaker, as I said, the hymn writers didn’t write for naught, not just for poetry, prose. But it did give us upliftment for to praise and for to help us realise our responsibilities to our children and those of our surrounding who we might influence.

Madam Speaker, as I said, we are entering *Child Month*. The Question Time yesterday was very healthy. I thank the Minister for recognising those things that he did talk about with concern.

Madam Speaker, we live in a fast world. Many of us are called upon as legislators to give until we can’t give anymore. I do know that there are families who take pride in helping their own, and families who have handicapped, as I have had in my family, or have in my family, and they do what they can. Some of them stay home from work, making it a life duty to care for invalid brothers and sisters. I know that is throughout the Island and not just in my family.

Madam Speaker, the seamen, when we started that benefit, we said that it would be one that after a period of years would start to reduce because we were not getting that many seamen anymore. It surprises you how fast that age group has gone and is going. On whole streets in my district, Madam Speaker, you look at home after home after home, families are gone. In some houses they are either for rent or shut down altogether, the family keeps it up just for the love of parents. We recognise the ageing population we have. And so I would hope, Madam Speaker, that Government would accept this, consider it see just how many—I doubt that it would be that many. It might not be 10. But I know of cases and the cases that family cannot help anymore. Representatives, all of us know how much we give monetarily, we neglect our own, and people don’t know this when they criticise us, Madam Speaker; we neglect our own selves

to help, to hand out, to give. People do not realise it. But I know, because I have been here long enough. And it has not just been this group. Others as well, gave and gave until it hurts.

Thank you, Madam Speaker.

**The Speaker:** At this time we will take the luncheon break. And I suppose the morning break because lunch has arrived, so we will reconvene at 1:30 pm.

**Proceedings suspended at 10:41 am**

**Proceedings resumed at 1:55 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

## PRIVATE MEMBERS' MOTIONS

### PRIVATE MEMBER'S MOTION NO. 15/2015-2016— SEAMAN'S MONETARY GRANT

*[Continuation of debate thereon]*

**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'll call in the mover to exercise his right of reply.

I recognise the Honourable Minister responsible for Community Affairs.

*[Inaudible interjections]*

**Hon. Osbourne V. Boddan, Minister of Community Affairs, Youth and Sports:** No, no. Sorry about that, Madam Speaker. I didn't realise that the original debate was complete.

*[Inaudible interjections]*

**Hon. Osbourne V. Boddan:** Okay.

Madam Speaker, the Leader of the Opposition referred to a number of people who are the children of folk who will receive the seamen's benefit and what he is suggesting is that Government consider looking after these on the death of the parent because, I guess, he has had the experience where some of these folk are not being properly cared for after the parent passes on. The seamen's benefit, as we know, is set up to pass on to the remaining spouse, male or female—well, the seaman is always a seaman, so it is the spouse, the female spouse—on the passing of the individual. But up until this time, we have not had any consideration in this regard as folk who fall within this remit under the system that we operate should be cared for under our Permanent Financial Assistance [PFA]. Now, as we know, we heard yesterday during Question period that we do have a backlog in that ar-

ea. Now, some of these folk that are handicap persons could well fall in that backlog and maybe why they are currently not being assisted. We have a number of various support systems (I should say) that exist under our Social Service Programme. And we also have the Disability Policy, which is now in place, and the law that will be emanating from that which is shortly to be brought before this Honourable House. Without a doubt these folk will have to be covered under that, if, for any reason else are left out. The Disability Policy will ensure that they are looked after.

So, Madam Speaker, it is one of those areas that the Government certainly will look at, consider it, and look at the numbers involved to see why it is that these unfortunate people are currently not being looked after, if indeed that is the case. There should be no good reason why they are not currently looked after. But, sadly, what we see in this area too is that sometimes people who are either handicap or just simply old, we find that there are people who get the money and sometimes the money doesn't go where it should be going. There is a lot advantages being taken and that is why the elderly policy is coming this year in October, and from that a law will also emanate which will ensure that that type of abuse stops taking place because—

*[Inaudible interjection]*

**Hon. Osbourne V. Boddan:** Well, we have to be because there is too much abuse in this area. I can think of many live cases which, you know, I hear about on a regular basis of people being abused that are elderly or indeed handicapped. So, I think the mover of the Motion has brought this with all genuine intent. I think he is aware of cases where this is indeed the case and I undertake to do is to talk to him about any of these and to try and . . . because as he said with his own words there, *there are not many* in his estimation. Of course, then we get into the whole realm of who is handicapped and what does handicap . . . where do you draw the line with being handicapped and, you know, we support, again, the system supports many people through our various funding that we do. So, we have to look careful at it.

I don't see . . . I don't have a problem with the Government considering the intent of the Motion and looking to see exactly what can be done. It is too vague at this time to say, *Well, you know, this amount is involved*, or the seriousness of the situation. But, suffice to say that between the PFA, the Permanent Financial Assistance system that we have and the Disability Policy and law to come, that there is no good reason why people who fall into this category should find themselves at the mercy of someone else and not the state because we will certainly take care of our elderly or handicapped and our children as best we can.

So, with that short contribution, in response to this Motion, Madam Speaker, I think it is safe to say that the Government has no difficulty in considering the request from the Leader of the Opposition on looking at this, but there is no need for us at this time, in our opinion, to take it and add it on to the Seaman's Monetary Grant or make it a continuation of that. Because as we know, the way that that system works when someone passes on, then, that opens the door for another seaman who is pending, sadly, the demise of somebody for them to get on due to the tight budget. Right now we have a waiting list of some 141 people, I think it is that is waiting to get seaman's benefits. As someone passes on, then we try to move them on. If we took on a different category, which this would be, then we would find that that would make that even more difficult, to add some of those people. Not being difficult about it, but I think that the system that exists is sufficient to care for these people. If there are any of them that are not being looked after and the funds are not being utilised properly to get to them, then, we need to look at it. Certainly, I will speak to the Leader of the Opposition and, as I said, any cases that he is aware of I will have my folk at the NAU and DCFS look into it.

So, Madam Speaker, I thank you. We, the Government, will certainly be happy to consider the Motion. Thank you.

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Last call . . .

I recognise the Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

Madam Speaker, the Motion before the House today is simply a request to try to help the very needy indigent people, who unfortunately, are not in a position to help themselves, and even though they have a lot of pride and don't want to ask for help, they have no other choice. I hope that Government will accept the Motion in the spirit of giving and in compassion that we can help these needy folks. I know the Seaman's [Monetary] Grant has been a major issue for quite a while and it is no doubt that it needs to be examined because I know that some of the folks who are receiving it are not as worthy to have it as some who don't get it. So I am hoping, Madam Speaker, that Government will see to accept the Motion. I know some of the Government bench know these individuals personally and we have to take compassion, we have to help wherever we can.

Madam Speaker, I would implore the Government to accept the Motion so we can help these folks.

Thank you.

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

Does any other Member wish to speak? Does the mover wish to exercise his right of reply?

**Hon. W. McKeeva Bush, Leader of the Opposition:** Thank you, Madam Speaker, I certainly want to arise to maybe just to clarify something, but I certainly want to thank my colleague on this side who spoke, who seconded it, and others who have given support to this matter, and certainly the Government for saying that they will examine it.

Madam Speaker, I just want to be clear here on one matter. I am not saying it is. . . maybe they are getting some help. That I don't know. And it is not that somebody might not give them some help, but I know of situations where they would be better off, better served if they got that assistance. I understand about persons who. . . the list they will have in regards to seamen. I do know too. My colleague, the Third Elected Member just reminded me of one person, I don't know if they [are on] the list or if they want to get on the list, but I don't know if they will qualify under the present rules because I believe they only went for one year, so I don't know if they would qualify. I don't know how many cases there are like that. But in the case, I think . . . I would hope that once the Minister can get a chance to look at it—because I think that this is not a big exercise—and Cabinet could, if that is what it takes, to consider that they are legitimate children of a deceased seaman.

The spouse used to get it, but the spouse is now deceased, but they left two handicapped persons. That is case that I am asking to look at. It is not just a matter of getting something. Let's face it, \$500 a month for two children, and I call them children but some of them, most of them, are well up into adulthood. They have to have somebody to look after them. Their houses were for their parents, and so those houses are not two years old and take a lot of maintenance and even some reconstruction otherwise as they get older to be mobile.

These are the kinds of situations that you will find in these cases. And as I said, from what I know it is not a lot. Not a whole lot, so however the Minister can find to be able to assist, whether it comes from that or you find a different category or whatever. Let's say if they have got now, they got whatever we give them, whether it is \$500 or \$550, we know that that can't, you know . . . how much really can that do? Yes, we do have family people who are willing to help, but we don't know. Every one of us knows how much we got to help people and how much the kind of expenses we have our own selves and find ourselves in difficulty at times. Mind you, we say these things and we say them on air, here in this House, and some people say it is talking foolishness, and they got it. But we done know, we know we have to go through. And some people will never believe it.

So whatever it is, Madam Speaker, the Minister can find to look at those kinds of situations. I do believe that maybe that is. . . I thought also about just going to ask for extra help, but then there is a lot of rigmarole now. And as I said earlier, when the Minister pointed out and as we know the complaints we get, people waiting in the morning early to go and it is not an easy exercise just because of the numbers; that is why you have such a huge staff. It is the number of people that go and so tie up the system. And for the want of a better word I say "tie up" because whenever I was Minister of Social Services in 1992 to 1997, or thereabouts, we never had that to deal with. We could work and did work on good programmes. I doubt that people got time today to even do that because they are constantly looking at in-crisis management, people all the time needing something. I mean, all of us can imagine what they go through because we know what we go through and we are not equipped. But we spend our time on these cell phones answering this one about a mortgage, answering about a light bill, and the next one. . . and you don't even have time to deal with it. You don't even have time. People just don't realise the situation that we face as MLAs [Members of the Legislative Assembly].

I would just like to thank the Government for being willing to look at the situation. Hopefully, we can come to a conclusion that it is determined whether it is five people, four people, whatever it is, I know a few. Maybe other MLAs will know more, but this is for, as I said, the category I was thinking, the father was a seaman, he passed away and left it to the mother if she was alive, and the mother has passed away. I know about other people waiting to get on, but those children I think come first.

**The Speaker:** The question is: BE IT NOW THEREFORE RESOLVED that Government considers extending the grant and any benefits to handicapped children of deceased former Seamen.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 15/2015-2016, Seaman's Monetary Grant passed.**

[Pause]

#### **PRIVATE MEMBER'S MOTION NO. 16/2015-2016— ELEVATOR STANDARDS**

**The Speaker:** I recognise the Honourable Member for North Side.

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

Madam Speaker, I wish to move Private Member's Motion No. 16/2015-2016 entitled Motion on Elevator Standards.

**WHEREAS there are currently no standards in the Developing and Planning Law or its Regulations for the installation, service and maintenance of elevators and other lifting devices;**

**AND WHEREAS the use of elevators in multi-story buildings carry certain safety risks to the general public who use them;**

**AND WHEREAS the installation of elevators and other lifting devices are a requirement under the provisions of the Planning Law for handicap access;**

**AND WHEREAS there are no license requirements or standards for persons installing, servicing or maintaining elevators or other lifting devices;**

**BE IT THEREFORE RESOLVED THAT Government consider as a matter of urgency the introduction and passage into law the necessary standards and requirements for the licensing of persons and for the installation, service and maintenance of elevators and other lifting devices.**

**The Speaker:** Is there a seconder?

I recognise the Member for East End.

**Mr. V. Arden McLean:** Thank you, Madam Speaker. Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved. Does the Honourable Member from North Side wish to speak to his Motion?

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

Madam Speaker, I stumbled across this due to a conversation with a very close friend of mine who was considering putting in a domestic elevator. I told him that one of the first things he needs to do is to call the Planning Department to find out what the requirements were.

I came here to the Legislative Assembly and got a copy of the Planning Law and the Regulations and couldn't find anything. As I understand, the current situation now it is that while the Government does, in fact, do some inspections of an approval of installation of elevators, there is really no legal authority to do so because there is nothing in the Planning Law Regulations, so I decided to bring the Motion to bring it to the forefront so see if we could get something done about it.

Madam Speaker, in preparing for the Motion I did a bit of research on the Internet and there are organisations like the National Elevator Industry, NEII, and ASME A17.1/CSA B44 safety codes, and stuff for elevators, and escalators. There is no need for the Planning Department to reinvent the wheel, so to speak. It is my understanding that although those

standards are not yet in the regulations, that is what they use by the people who inspect it. But the problem we will have is that if the person installing the elevator refused to abide by those standards, because we don't have legal authority to demand that they do, there is nothing we can do about it. I have spoken to a couple of people in the business and one of the things that they have is the uncertainty of what is required in the Cayman Islands. Although they are very well aware with the ASME A17 standards, et cetera. And apparently, one of the other problems that they have and their concern, is that the one that the Planning Department inspectors are actually using is the 2002 or the 2006 standards and there have been several improvements to those standards, and one of their big concerns expressed to me is that there is no requirement under that particular standard for retrofit of some of these elevators to bring them up to the new standards even when they give problems.

And then there is also the need, in my view, Madam Speaker, to have the people who install these elevators, the people who maintain them, to have some technical certification and knowledge which can demonstrate their knowledge of these standards and the requirements, which I believe is our responsibility to put in place in order to protect the using public. Even the people who are paying these technicians, some of it now, is partly being done by people who just come in and do it and leave. I am hoping that the Government will agree that there is some urgency in putting in place proper standards or legislation to which these people can be held accountable and responsible.

So, I would just ask the Government to consider putting in place the proper standards and regulations, and also to make sure that in putting in place these standards on our legislative books, that there is the added requirement that the people who are servicing these elevators have to get some kind of certification to demonstrate their technical competence, I believe that there is going to be increased use of elevators in private homes, lifting devices. I don't know about the rest of you, but my friend and I were disgusted because we both are getting up there, wondering how we are going to plan to get upstairs in our own houses. So, you know, we may want to put in one of these lifting chairs, if we can't afford a full elevator, so we can get a ride up and down. For some of us, like the Minister of Planning who in the past enjoyed, not fast, but not slow, cars that were not slow, may get a certain thrill in riding these stair-lifter-things up and down at great speed.

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** But it is important, Madam Speaker, I believe because, again, we are getting into higher storage buildings and an elevator that has to go up 10 storeys, I believe, should have some addi-

tional standards to one that is only going two. I just ask the Government to consider putting this in the development planning or regulations.

Thank you, Madam Speaker.

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

I recognise the Honourable Minister responsible for Infrastructure and Planning.

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

Madam Speaker, with one exception, as I listened carefully to the mover of the Motion in his introduction, I agree with everything that he said and I won't say what that one exception is because he knows it.

Let me say that the Member is correct in what obtains presently by way of statute, but I just want to fill the Member in with the information that I am about to give so that he can know where the Government is at, so that he can know that we are on all fours.

Madam Speaker, the Government is already taking steps to address the regulation of elevator contractors that supply and/or install them. This is being done in two pieces of legislation. First, Madam Speaker, the proposed amendments to the building code regulations seek to expand the regulation of elevators and other lifting devices by establishing a required periodic inspection and test interval for various types of elevators and other lifting devices. This, Madam Speaker, will also ensure that they are maintained and kept in proper working order throughout their operational life. The proposed amendments, Madam Speaker, have been sent to the Legal Drafting team and we would have had them but for the raft various pieces of legislation, some of which are here before us now as we speak, and there are still others which are priority and with defined timelines, which have had to be dealt with by Legal Drafting before this could be completed.

I would have wished to say that the legislation would be ready for the budget session, but I don't want to guarantee that because that is not very far away, but I am certain that it will be in the next meeting after that. Madam Speaker, also, the Builders Law amendment recently passed and the Builders Board which will be ready, and the Cabinet paper will be ready for the next Cabinet meeting to get them started, to get the Board up and running and to get the Secretariat going, which has a specific bearing on this Motion because this will require the elevator firms to be licensed in the category of trades contractor.

In addressing qualifications, Madam Speaker, what that will do is that for such entity to be eligible for registration as an elevator firm, it will be required—and this is trying to kill at least two birds with one stone—to have a qualifying individual who is Caymanian to have the required skills, knowledge, experience and who have passed an examination set and

administered by the Board or by an institution outside the islands which is recognised by the Board.

Madam Speaker, the way we looked at it when we examined, this is kind of a niche market for Caymanians to be able to enter. The Member is correct in that for all the time that I can remember certain companies in Cayman would have, and that is only but a few, would have one or two persons as technicians on staff dealing with elevators for maintenance and repairs. Whenever any, especially any commercial building was being built, a team would be brought down from overseas to do all of the installation. Planning would have someone with a certain level of expertise to do examination and to the checklist to make sure that everything was done right. But, Madam Speaker, how that evolved was that the demand was not great at the beginning. It has increased tremendously now, and it is not just commercial buildings which have elevators. We do have multi-story, multi-family dwellings at all levels which have the same and we have more tourism-related buildings being constructed which have that.

The Member also mentioned the fact that we now go 10 storeys for several types of buildings is all the more reason why the need is there. So, we are in total agreement with what the Member is asking for. I just wanted the Member to know where we are at. The Government now has an elevator inspector who continues to review plans and inspect elevators in new construction. But once the Board is up and running in a very short time, the responsibility will lie there where people will have to be qualified to be able to work in that field. And I think and hope, Madam Speaker, that no one misinterprets that move to try to create bureaucracy because that is not the case. The fact of the matter is, right now we are, should I say, dependent on the goodwill of whoever these contractors are to ensure that there are qualified personnel installing and doing the work on elevators. The inspector that we have, certainly will look to those same standards that the Member mentioned and to use those standards—and when I said that the person, the Caymanian, who has to be the qualifying individual for the company would have passed an examination either set by the Board or by an institution outside the islands, that was what I referring to.

So, Madam Speaker, this is not one that we are cross purposes with, but I wanted to take the opportunity to let the Member know that we are not starting from scratch with it, it is in train, and as soon as we are able to get the legal drafting completed and get it through Cabinet, then, certainly, we will be bringing it to the Legislative Assembly and in the meantime working on the Builders Board and getting that Secretariat up and running so that we can have everything in place. I want to thank the Member for bringing that because it just means that there are still people out there who pay attention to matters such as that, although it is not one of those big, dramatic ones that

everybody talks about or the fact that you don't have a front page article about it. And by the way, Madam Speaker, for me personally, I really would like to see us have top-notch people dealing with them, because I have been stuck in them a couple of times and I don't like it.

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

If not, I will call on the Member for North Side.

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

Just to thank the Government for accepting the Motion and also to congratulate the Minister for the amount of work that is ongoing in it. I am sure the discussion here today will give people out there a lot of comfort.

I don't expect it to be, like you said, to be reported in the *Compass*, in particular, because it is coming from Ezzard, but that doesn't worry me. But the listening public will understand that the Government is on the ball and looking at these things which are necessary. I could probably forewarn the Minister that he is likely to get, besides the possibility of bureaucratic complications. He is likely to get some resistance from some of the people currently involved in the industry because of setting the standards and in particular acquiring the people to be licenced. When this Motion, I think, was reported on *CNS* I did in fact get e-mails from two overseas companies who were in the elevator manufacturing business, offering to assist if I needed help in terms of what the standards should be. But I also got one phone call from one person saying that there is no need for Government to get involved in this because they are quite capable of doing it and they have been—

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** But he has my support when it comes to dealing with people like those because it is time for us to move on beyond catering for these people who want to offer this kind of, what I would call, wishy-washy standards in the industry. And they are basically only in the business to make whatever money they can, however they can, irrespective of potential risk involved.

So, I thank the Government for supporting the Motion and I look forward to working with them to get it in place.

Thank you, Madam Speaker.

**The Speaker:** The question is: BE IT THEREFORE RESOLVED that Government consider as a matter of urgency the introduction and passage into law the necessary standards and requirements for the licence of persons and for the installation, service and maintenance of elevators and other lifting devices.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed:** Motion No. 16/2015-2016 Motion passed.

[Pause]

## PRIVATE MEMBER'S MOTIONS

### PRIVATE MEMBER'S MOTION NO. 17/2015-2016— MOTION TO AMEND THE HEALTH PRACTICE LAW

**The Speaker:** I recognise the Member for North Side.

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

Madam Speaker, I wish to move Private Member's Motion No. 17/2015-2016—Motion to Amend the Health Practice Law, which reads as follows:

**WHEREAS there is a need to improve and regulate the standards of education, training, qualifications and licensing of Medical Practitioners;**

**AND WHEREAS the methods and requirements for the training and education of medical practitioners is constantly changing;**

**AND WHEREAS there are varying standards and requirements for medical practitioners training and qualifications within the Caribbean and Americas region;**

**AND WHEREAS there is a need to insure and improve the safety and quality of patient care;**

**BE IT THEREFORE RESOLVED that the Government consider amending the Health Practice Law 2013 and its Regulations to provide for the following—**

**(1) Proficiency in the English Language shall be guided by the practice of the United Kingdom's General Medical Council (GMC) vis-à-vis the International English Testing Service (IETS).**

**(2) To be eligible for full registration and a license to practice independently, graduates of Medical Schools that follow the United States Curriculum or a Canadian based curriculum whether in the United States, Canada or an "Offshore" Medical School must complete an Accreditation Commission or Graduate Medical Education (AC-GME) approved residency and obtain Board Certification from one of the Member Boards of American Board of Medical Specialties; or complete a residency approved by the Royal College of Physicians and Surgeons of Canada and pass the Royal College specialist certification examinations; that is, the Fellow of the Royal College of Physicians of Canada (FRCPC) or the Fellow of**

**the Royal College of Surgeons of Canada (FRCSC).**

**(3) No applicant for full registration as a Medical Doctor shall be eligible for full registration and a license to practice independently, until they have successfully completed a minimum of three (3) years postgraduate training and they have passed the associated exit examinations of that postgraduate course. That is, training after completing their primary medical qualification (such as MBBS, MB, ChB, MD or equivalent) and satisfactory internship period in a jurisdiction approved by the Health Practice Law 2013 and Regulations. This shall also apply to individuals who wish to be registered as General Practitioners.**

**(4) Non-Caymanian applicants for full Registration as medical Doctors shall have a minimum of three (3) years relevant clinical experience immediately prior to application after completion of approved postgraduate certification.**

**The Speaker:** Is there a seconder?

Member for East End.

**Mr. V. Arden McLean:** Madam Speaker, I beg to second the Motion.

**The Speaker:** Thank you.

The Motion has been duly moved and is now open debate.

Does the Honourable Member for North Side wish to expound further?

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

Madam Speaker, I had reason to interact with the Medical and Dental Council over the past several months which led me to look in detail at their website where it is posted their guidelines and registrations, some of which have legal authority of the law and regulations to support the Medical and Dental Council in decisions, in enforcing their required compliance. Some do not. During this interaction, Madam Speaker—and let me thank the staff of the Medical and Dental Council and the Board members for their professionalism, courtesy, and dedication to the job at hand.

This intensive, prolonged interaction between myself and the Medical and Dental Council had to do with the development of a programme to allow Caymanians to become licensed dental assistants without having to leave the Island to attend training in another country. It was during that exercise and the reasons to have detailed discussions with these people that some of these came to light.

Now, Madam Speaker, I know that the amendments that I am asking for will not in any way try to repair that unfortunate barn door that was bulldozed into the medical and dental profession licensing requirements by the former Minister of Health, Mark Scotland, in order to accommodate the inward in-

vestment of Health City and medical tourism. That needs to be addressed, but that needs to be addressed differently. This is about people who work in the country full-time and not involved in medical tourism. Because I described that Bill at the time when I spoke against it that it was the worst piece of legislation, from my professional point of view, I have ever seen come through this Parliament, and it has only gotten worse in those things.

Madam Speaker, in essence what the Medical [and Dental] Council and their support staff agreed and developed was any Caymanian now wishing to become a dental assistant—and while most people may think that a dental assistant is very close to the bottom of the totem pole in the health care ambit of professions. Currently, most—probably with the exception are two or three—are positions that are filled by work permit holders. And it is a reasonably good job, the hours are usually good, the pay is very good, and it is a position that many young Caymanians could aspire to. And what they have developed, basically, is that if they complete the academic course offered by Penn Foster and they do 1200 hours of supervised training under a Caymanian-licensed dentist, the Board will offer to license them as dental assistants.

It was during that—and we had many discussions then about licensing of other professionals. The one for which I once belonged, the pharmacy, came in for quite a bit of discussion, as well, unfortunately. The Pharmacy Law that was passed in 1992 was repealed shortly thereafter and we are still currently working under what I would regard as a very antiquated piece of legislation which has many inherent built-in dangers, particularly with the opportunity for doctors to overprescribe because they own part of the pharmacies and it is a way of generating revenue for themselves.

So, Madam Speaker, in looking at the medical and dental we determined that it would be a good thing for the Government to look at tightening up somewhat the requirements for licensure for medical and doctors and that is why I brought the Private Member's Motion specifically for those.

Yesterday, Madam Speaker, we spent a lot of time keeping accolades on the accounting profession because they have endeavoured to self-regulation. They have endeavoured to approve their position and to meet international standards. We need to treat all professions in Cayman the same way. Particularly, we need to support the young Caymanians in the medical and dental and the health care professions field when we can make amendments to the law to improve the standards in their profession. So, Madam Speaker, I ask the Government to support this because I believe it is a step in the right direction.

Thank you, Madam Speaker.

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

I recognise the Honourable Premier.

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

I am not sure whether the honourable Member who moved the Motion is aware that the Motion simply asks that what are already guidelines for applicants required . . . or guidelines set by the Medical and Dental Council, which are available on the Medical and Dental Council's website as guidelines for 10, 11 and 16, of a total of 33 guidelines, that all the Motion is seeking to do is, it has lifted word-for-word those guidelines, apparently, from the guidelines of the MDC and they have been placed into the Motion. So my interpretation of that is that the Member or whoever drafted the Motion is seeking to have those guidelines elevated to the level of regulations.

Madam Speaker, my Ministry staff, having discussed this with the Medical and Dental Council, have been advised that these guidelines are strictly adhered to, that they have been in force for some considerable time. In fact, they have just been reviewed and revised this month.

Madam Speaker, as the Member for North Side asserts in the Motion, the methods and requirements for the training and education of medical practitioners is constantly changing, and I would like to go on record to applaud the Medical and Dental Council who, under the able chairmanship of Dr. Sidney Ebanks and Deputy Chair, Dr. Virginia Hobday, have been very proactive in reviewing and updating the guidelines.

The Motion asks the Government to consider amending the Health Practice Law and regulations to include those four provisions which, as I say, have been lifted word-for-word from the MDC's guidelines, and to convert them into regulations.

Madam Speaker, while I am satisfied, based on what the Ministry staff have been told, that the criteria being proposed in the Motion are already in effect through the published Medical and Dental Council guidelines, I will certainly support them being considered as potential future amendments to the relevant legislation when the opportunity next avails itself for us to review and make further amendments to the Health Practice Law. But they are, in my view, not a matter of urgency, or that is not a matter of urgency because the guidelines are already in place and are being applied in a regular and proper way.

**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?

The Fifth Elected Member for George Town.

**Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town:** Madam Speaker, I rise to give my support to the Motion by the honourable Member for North Side.

Having gone on the website of the Medical and Dental Council, I believe that his Motion sets out what are the current minimum standards for doctors in most countries. And if we are looking at the countries that are recognised by the Health Practice Regulations, 2013, these standards have been in place in first world countries for over half a century and as set out in law. As someone who is very proud of our Caymanian doctors, very proud of our Caymanian people, I think that we should aspire to have the highest standards, internationally recognised standards, because when people go to the doctor, they want to know that whoever is treating them has passed that high level of minimum standards.

Madam Speaker, I have a theme in that wherever we set the bar, our people will rise to the occasion. You have heard me say that in numerous debates over and over. Caymanians are very industrious, very capable people when given opportunities and when they know what the standard is. I think that we, as a legislature, should be promoting the highest standard in the Caribbean. I think that is what the Motion sets out to do.

Madam Speaker, I would just ask the honourable Members in this House to consider where we want medicine to be in the Cayman Islands, consider how we want our medical professionals to be seen, both regionally and by the rest of the world. I'd love for the day to come when we look at our doctors and in our own minds, locally, consider them world class and head and shoulders above the competition. We have to stop looking at our people as just locals and natives that may not be able to achieve the highest standards. We have to believe in them. We have to give them every opportunity to achieve those standards. In some instances it's going to cost more as a country to do so, Madam Speaker. But we owe it to our own.

Madam Speaker, with those few words, I too, urge the Government to accept the Motion as put by the honourable Member for North Side. 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 recognise the mover of the Motion if he wishes to exercise his right of reply.

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

Madam Speaker, the Minister responding said that the sections of the Motion that refer to the amendments of the Law were lifted directly from the guidelines, and even that he had wondered who had drafted the Motion.

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** Madam Speaker, unlike that Member who is a member of the legal fraternity who can't claim to have done anything during his lifetime

as a lawyer to improve the standards of the law, the legal profession of this country, my name is on almost every improvement that was made to the standards of health care and requirement for registration in this country for health care professionals. I don't need anybody to draft anything for me. Not being a lawyer and he being a lawyer, Madam Speaker, he would understand (or I think he would) the difference between guidelines and regulations. Regulations must be adhered to; guidelines not. I can tell him that the applications of these specific guidelines by the MDC are being challenged in court and in all likelihood they will win.

And, Madam Speaker, the kind of changes that need to be made to improve the standard of health care, its regulations, its licensure, its discipline, some of these things have been ongoing since 2012, by various people in positions to know what needs to be done and they have been ignored by this Government, they were ignored by the last Government. Madam Speaker, I can publically state that I have a good relationship with the former chairman of this board, Dr. Solomon. I helped him get his scholarship when I was Minister of Health to go and study medicine. And he has not forgotten it. I have a very good relationship with Dr. Sidney [Ebanks] who comes from my constituency, although he grew up in George Town. I rely very heavily on both of them when it comes to advice and discretions on these matters. Unlike the current Government who ignores their input, and then to try and chastise them when I bring the Motion here.

Madam Speaker, of course I lifted it directly from here because these are the areas of the guidelines that we believe need to be elevated to the position of regulations. And not sometime in the future, when the Government believes we need to make changes to the regulation law. It needs to be done now as a matter of urgency to prevent the continued erosion of persons coming here who barely meet the guidelines or don't meet them at all, and demanding to be registered.

Madam Speaker, I got evidence. I am going to read it into the House that they tried to chide my good friend, Dr. Ebanks because when he called me yesterday evening about what had gone on, I said, *Send me that in writing because I need to expose that.* And here it is, Madam Speaker, and I quote from a series of e-mails. I will table it and if you want it first, I can wait until it [is] photocopied.

**The Speaker:** Because of the nature of it, I would like to see it first please.

*[Pause]*

**The Speaker:** Member for North Side, please proceed.

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

There are two e-mails. One is from Jennifer Ahearn to Dr. Jenny Hobday and Dr. Sidney Ebanks and others on that. It is dated the 27<sup>th</sup> of April 2016, 12:33. That is yesterday, Madam Speaker.

**The Speaker:** Member for North Side, I take it that you have the consent from the recipients to disclose the e-mail?

**Mr. D. Ezzard Miller:** Yes, Ma'am.

I don't have the consent from the senders, but I have the consent from Dr. Ebanks.

**The Speaker:** It is the recipients that . . . [INAUDIBLE].

**Mr. D. Ezzard Miller:** Yes.

[It reads]:

"Good morning, Dr. Ebanks and Dr. Hobday. I hope you are both well. I am writing to you in your capacity of Chair and Deputy Chair for the MDC. The Minister has just received the attached Private Member's Motion by North Side, MLA, Ezzard Miller, posing some specific amendments to the Health Practice Law and Regulations." [UNVERIFIED QUOTE]

First point, Madam Speaker, I don't know how that is possible. This Motion was tabled on the 22<sup>nd</sup> of February. It was circulated to all Members on the 24<sup>th</sup> of February, 2016 by the staff of the Legislative Assembly.

"I believe the first two points, proficiency in English and residency programmes for US and Canadian education applicants are things that you already have as guidelines. Grateful if you could confirm whether that is correct. The third and fourth points are to do with minimum years of experience post-graduation. They are calling for a minimum of three years of postgraduate training and passing the associated exit examinations of that postgraduate course. It also speaks to full registration, so I am assuming that they are referring to registration on the principal list. I believe the current requirement is two years of experience. I believe that is established in the guidelines as well. Grateful for your confirmation of the information I have outlined above or any comments you have on the proposed amendments outlined in the PMM.

"Unfortunately, the timing is very tight. The Motion is on the agenda for tomorrow's meeting of the LA, so I need to prepare advice for the Honourable Premier today, which means I need to hear from you very urgently; apologies for the short notice. We were not aware of this Motion until I saw the Draft Order Paper for tomorrow's LA meeting early this morning. Please let me know if you have any questions you wish to discuss. Look forward to hearing from you." [UNVERIFIED QUOTE]

Dr. Sidney's response:

"Dear Ms. Ahearn: Thank you for your e-mail. The MDC supports these recommendations contained in the Motion as they represent what is the current state of minimum standards for doctors in most countries that are recognised in the Health Practice Regulations, 2013. Such standards have been in place in most countries for over 50 years. The people of the Cayman Islands deserve no less. As I indicated to you and Counsellor McTaggart in your telephone conversation earlier today, robust and unambiguous regulations are not only desirable but are required to protect the public and to promote a high standard of medical care. Also touched on, [was] the subject of the cost of the public purse in defending decisions made by the MDC and the current ambiguity in the 2013 Regulations. If I may be so bold, I respectfully recommend that the Private Member's Motion receive the full support of the Honourable Premier and his Government." [UNVERIFIED QUOTE]

Madam Speaker, the difficulty here is if we leave this in guidelines and we have people who graduate, even from the local medical school, St. Matthews, who don't meet the guidelines as entailed and the Medical Counsel enforces the guidelines they are subject to challenge in a court of law and they are going to be almost indefensible in a court of law. What I am asking the Government to do is to elevate these specific guidelines to regulations so that the members of the Medical and Dental Council, when making decisions based on regulations, have the security to know that they have the backing of law.

Madam Speaker, once again I ask the Government to support the Motion and to raise these guidelines to regulations in law.

**The Speaker:** The question is: BE IT THEREFORE RESOLVED that the Government consider amending the Health Practice Law 2013 and its Regulations to provide for the following—

(1) Proficiency in the English Language shall be guided by the practice of the United Kingdom's General Medical Council (GMC) vis-à-vis the International English Testing Service (IELTS).

(2) To be eligible for full registration and a license to practice independently, graduates of Medical Schools that follow the United States Curriculum or a Canadian based curriculum whether in the United States, Canada or an "Offshore" Medical School must complete an Accreditation Commission or Graduate Medical Education (ACGME) approved residency and obtain Board Certification from one of the Member Boards of American Board of Medical Specialties; or complete a residency approved by the Royal College of Physicians and Surgeons of Canada and pass the Royal College specialist certification examinations; that is, the Fellow of the Royal College of Physicians of Canada (FRCPC) or the Fellow of the Royal College of Surgeons of Canada (FRCSC).

(3) No applicant for full registration as a Medical Doctor shall be eligible for full registration and a license to practice independently, until they have successfully completed a minimum of three (3) years postgraduate training and they have passed the associated exit examinations of that postgraduate course. That is, training after completing their primary medical qualification (such as MBBS, MB, ChB, MD or equivalent) and satisfactory internship period in a jurisdiction approved by the Health Practice Law 2013 and Regulations. This shall also apply to individuals who wish to be registered as General Practitioners.

(4) Non-Caymanian applicants for full Registration as medical Doctors shall have a minimum of three (3) years relevant clinical experience immediately prior to application after completion of approved postgraduate certification.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 17/2015-2016—Motion to Amend the Health Practice Law passed.**

**PRIVATE MEMBER'S MOTION NO. 18/2015-2016—  
MOTION TO RESTORE WATER CAY BEACH**

**The Speaker:** I recognise the Member for North Side.

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

Madam Speaker, I wish to move Private Member's Motion No. 18/2015-2016—Motion to Restore Water Cay Beach:

**WHEREAS the Water Cay Public Beach has suffered severe erosion during the last decade on the Eastern side;**

**AND WHEREAS the magnitude of this erosion is such that two of the Gazebos are now under threat of water intrusion to render them unusable;**

**BE IT THEREFORE RESOLVED that the Government consider instructing the Department of Environment, the Public Works Department and the Lands and Survey Department to collectively develop and cost an implementation plan to restore the Water Cay Public Beach to its original size;**

**AND BE IT FURTHER RESOLVED that Government considers funding the implementation of this plan in the 2016/17 Budget.**

**The Speaker:** Is there a seconder?

**Mr. V. Arden McLean:** Madam Speaker, I beg to second the Motion.

**The Speaker:** Thank you Member for East End.

The Motion has been duly moved. Does the Member for North Side wish to speak further on Motion 18?

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

Madam Speaker, the Government is aware of the problems with what we call Kaibo Beach Park, in that at least for the last three years I have sought assistance from Government to put up a wall to the original size of the public beach area and reclaim that area which has been eroded. I am also asking them to consider building that wall in such a way that it can be covered with a dock to which small boats can tie up. Because one of the problems that we have at the existing dock is that when that was built way back in the 1980s, there weren't too many people in North Side who had boats over 14-15 feet. Now a lot of them have them 35-40 feet. Any one of those boats tied up to that dock occupies the whole dock. It is also relatively high for people with smaller boats to use and this area, this public beach, Madam Speaker, is very heavily utilised by North Siders, and, in fact, by people from all over the Island. You go down there on a Sunday and it is very crowded.

The erosion is so bad, Madam Speaker, that Easter time we had to put sand inside two of the gazebos because the sea had actually intruded into them and made them unusable for the Easter people to camp. That was Easter 2014. Yes, because we had cleared out and used the sand that we had removed from around the launch to reclaim the area. Since then it has continued to erode and if you go there now on a high tide, there is water intrusion in at least one of the gazebos. Madam Speaker, particularly at Easter, I believe that that is the only legal campsite in the whole Grand Cayman. Lots of people camp there, some people for two weeks, including the Easter weekend. Particularly at Easter time, there are lots of. . . most of these people have small boats and they cannot get into it.

And what led me to bring this Motion, Madam Speaker, is that I was of the view that the Government was in favour of doing what the community wanted, it was just a matter of funds. I understand that fully. That is why I assumed it was not put in the budget last year or the year before. But I recently got a communication from the Department of the Environment that wants to plant the area with young mangroves to prevent the erosion which would eliminate the possibility of people using it for swimming and going in and out of the water if we planted the whole thing off with mangrove, although, it was only purposed to do three small areas, but all of us know how these mangroves grow. They invade the area they are planted in. So, I am concerned that there has been a change in the Government's position, and that they have now reverted to believing that if we plant these mangroves there, they will prevent the erosion. But I don't think that that is

case, Madam Speaker, because there are mangroves there now which are not preventing the erosion. The mangroves that exist now are on the windward and tidal side of the erosion. So if they were going to prevent it, they are in a perfect position to prevent it. We discussed this at the last District Council and there were mixed feelings about what was best, but I think it is fair to say that what we did then was we sent it out by e-mail as kind of a round robin for input and most of the responses I have seen, want to put up the wall with the dock on it and reclaim the area because we need additional gazebos and not have to give up two gazebos to plant mangroves.

If you look across the water from where the erosion is taking place, over to what we call Old Ford Creek and into the Little Sound; that is nothing but mangroves. We in North Side have had to give up 300 feet under the Development and Planning Law where everybody else gave up 100 feet. We believe we have given up all the area we can afford to give up and we certainly need this thing to be fixed in a way that we can continue to use it as a public beach, and in fact, in a way that will enhance the usage of the public beach.

So that is why I am asking the Government to consider having the agencies in Government design and implement a cost for this plan to try to get it done in next year's budget so that we can have it there for next Easter.

Thank you, Madam Speaker.

**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 Minister responsible for the Environment.

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

Madam Speaker, I have to say that I am not personally aware of the specifics of the issue in terms of the current state of erosion that the Member for North Side speaks to as a basis or part of the rationale for his Motion. But, certainly, I am aware that that area has suffered from erosion from the time it was created.

Madam Speaker, the area, as we all know, was not a natural beach area. It was artificially created by dredging, I think in the late 1960s or early 1970s around the whole area there, and sand was—

**Mr. D. Ezzard Miller:** But that particular area was expanded but the basis for that area existed. That is not like Finger Cay.

**Hon. G. Wayne Panton:** Right. But it was—  
*[Inaudible interjection]*

**Hon. G. Wayne Panton:** But sand dredged up from around the whole Rum Point and Kaibo Complex was utilised to augment the beach area around there. So, Madam Speaker, I think that we all understand that when something is created which wasn't there originally, nature has a way of seeking equilibrium, and hence we have this issue with ongoing erosion.

Madam Speaker, certainly from aerial photographs from 1994 to 2013, it shows quite a distinct erosion of the shoreline in that area. Particularly on the windward side, which is the east side, and, of course, the Member is more specifically referring to that side. As I understand it, Madam Speaker, the Member is asking to have a wall built right out to the edge of deep water so that at least, perhaps, three foot depth, so that a dock could be created along the edge of the wall—

**Mr. D. Ezzard Miller:** The top of the wall could be a dock, would be low for the small boats.

**Hon. G. Wayne Panton:** Right.

**Mr. D. Ezzard Miller:** If you come in your boat you would have to get a ladder to climb down and up.

**Hon. G. Wayne Panton:** Madam Speaker, I understand the proposal from the Member. Certainly, just for clarity, I am personally not aware. I know that the Member has indicated that for the last three years he has made this proposal in relation to a wall there. I am personally not aware of a proposal being made to the Ministry or the Department of Environment or any other Government agency in that respect. But, be that as it may, it is the case, it is possible that he may have had that conversation, but certainly from the Department of Environment's prospective, discussions that they have had very recently have been along the lines of suggesting ways to mitigate the erosion that occurs there on the east side of that beach area. One of the ways to do that is to create these sorts of headlands with beach pockets in between. So you could have sections or interspersed areas of mangrove, perhaps with some boulders and beach pocket areas in between. Then, you would basically replenish the beach area there.

Madam Speaker, what happens is that the erosion carries the sand out into deeper water because it was dredged offshore, but it also carries it around the corner onto the west side which faces the Kaibo Marina. In fact, Madam Speaker, that happens so much so that the public dock, next to the boat ramp there, quite often over a period of years has a significant accumulation of sand. In fact, in the last five or six years that particular dock has been effectively dried in by accumulated sand so that boats couldn't actually use it.

I think, Madam Speaker, in 2011 there was an application for a coastal work permit in order to re-

move that sand to allow the dock be usable again. The sand was excavated from that dock. The recommendation from the Department of Environment was that the sand be replaced on the eastern side of the beach, which is effectively where it came from. We do not know whether that was in fact the case or not. I think the Member has indicated that some of it was used at some point to fill in some of the areas around the gazebo. But be that as it may, Madam Speaker, the reality is that if the sand comes around through the normal longshore drift process around the point and accumulates by that dock, if we were going to remove it from there, logically, you would want to put it back where it really came from, which is on the east side.

Madam Speaker, the beach there is very popular. It is well used, particularly on weekends as the Member for North Side has said. Certainly, it is a very popular place, particularly around Easter time. I think from the Government's prospective, we don't have an issue with considering how to address this and considering whether a wall can be placed along the eastern side there. We would certainly be willing to continue the discussion with the Member for North Side, as the mover of the Motion. Madam Speaker, as I have said, this is the first occasion that personally I am aware of a proposal to build a wall there and, perhaps use it as a dock facility. Of course, there are existing dock facilities around the other side as well by the Kaibo, and in fact, I think they are—if they haven't already done it—going to be rebuilding that dock facility. It is actually . . . it was, and hopefully once it is fully replaced or renovated or rebuilt it will indeed be another very nice facility there.

As I said, Madam Speaker, the Government position is [that] we are happy to consider working in conjunction with the Member to see if whether we can build this wall there. It is going to be difficult to give any kind of commitment that this could be included in the 2016/17 Budget, as the Member has indicated in his Motion. But it is certainly something that we are willing to consider and we will examine whether it is possible to do that. Even if we don't get to that point, we are certainly interested in sitting with the Member and having a discussion as to whether this wall can effectively be built there. Clearly, these are questions which are very relevant to the people of North Side, the eastern end of the Island, those stakeholders who use that area. I think it would be very useful to get broader perspective and broader input on whether that sort of approach . . . because recognising that building a wall there and effectively having a dock is going to remove at least half of the typical swim area. So perhaps that is something that will be widely accepted.

*[Inaudible interjection]*

**Hon. G. Wayne Panton:** I am told that nobody swims there, but I have seen people swimming there. But in

any event, that is beside the point. You can swim there. So the question is: Is there support for effectively removing an area where you could possibly swim and turning it into a walled dock area? If that is supported by the people of the eastern districts, North Side in particular, then in principle the Government is willing to consider that, Madam Speaker.

So, Madam Speaker, with that, I give an indication that the Government is willing to agree with the Motion on the basis that we continue the discussions and work to see what we can accomplish in respect to this.

Thank you very much, Madam Speaker.

**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 Honourable Minister responsible for Sports.

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

Madam Speaker, I rise briefly to lend support to the Motion brought by the Member for North Side. Madam Speaker, this is an area I frequent, not as much as the Member, but certainly I frequent quite a bit. I can vouch for the erosion. In fact, it was quite shocking because we used to have an annual picnic there, not this last December, but when we went back the December before that, we found the gazebo in the sea. I was like, for a minute I was in shock. I was like, *Well, what happened here?* I think I even said it to Minister of Planning that something weird was going on.

**Hon. D. Kurt Tibbetts:** You asked me if the gazebo has walked.

*[Laughter]*

**Hon. Osbourne V. Bodden:** Well, I was not under that influence. But, no, it was quite shocking how much erosion had taken place. The reason I rise is simply to say that with the importance of this area, not just to the North Side people, but it is an area that is frequented by everybody from the Island, I think whatever can be done on the east side there to . . . because there is no sense putting the sand back and don't put some sort of protection. There needs to be some sort of grow-in or something put in and the experts will figure that out, but it is an area that you don't really have to worry about. The swimming really takes place on the west side of the point. To the east side hardly any one messes around too much in the water.—

*[Inaudible interjections]*

**Hon. Osbourne V. Bodden:** We know where sand is, yes. We just have to get permission to move that sand.

But I just wanted to lend the support and I know that my colleague, the Minister who spoke before me, is very cognisant and very much aware of the importance of this beach and I am sure that he will do all in his power to sort this out with the help of the Member for North Side and his community. I just wanted to say first-hand that I am aware of it and it is a serious situation and the erosion has been quite rapid. And the funny thing about it was, I think, for a long time it didn't happen. At least it was happening at a slower rate. And then something expedited it because suddenly it became very stark.

So, with those short words, Madam Speaker, I lend my support to the Motion.

**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 upon the mover for North Side.

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

And just to thank the Government for accepting to try and do something about it. And just to say to the Minister responsible that we believe that putting pilings down on a low wall will solve two problems, because right now the ramp needs to be dredged out almost twice a year. It needs to be dredged out right now if you want to keep it in full use because people with larger boats right now are having a problem getting their boats on the trailers. In fact, a couple of Sundays ago there was a guy there with a cat, a twin hull cat, probably 28 to 30 feet, and he was really struggling to get it on the trailer.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Yes, but you see, we can save the money if we take the money and spend it one time on the wall now. Right?

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** We won't have... well, the problem with that is that they don't usually provide the money to dredge the thing, Madam Speaker, they give me permission to do it, but they tell me I got to go find someone to do it. The last two times it was done was under the generosity of someone who owns the equipment. Government didn't pay to have it dredged out; neither there or Old Man Bay. It would also help the people who own the Kaibo, because if you go there on a Sunday now, you will see that unlike years' past when that water was 6 to 8 feet deep, if you get a boat now drawing 3 or 4 feet, it is kicking up mud. Because it is not just going around and staying on the

coast, it is going into the Kaibo area where their docks are located. And they are probably filled in by—

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** No, but before it gets to that, Mr. Panton, it goes through the water and it is offshore—right? It doesn't come over the land. It comes through the water—right? So, it's offshore around the dock. Seriously, I promise you, if you go there now and just see, even the tourism-related boats that come up from West Bay, even going to the end of the Kaibo dock now, if they go east of the Kaibo dock, they are kicking up mud and stuff. So, I think it would help both parties, and certainly we believe that if we put pilings down and put the wall, the dock over it, it would enhance the area. If the Member goes around the area, and goes out along the coast he will see that most, if not all, of the existing houses on that peninsula have in fact put walls in the water there. Now, I don't know whether DOE or Planning know about it, but I can promise you a lot of them have walls that they have put in the water, the full breadth of their property to protect their beaches.

I thank the Government and, Madam Speaker, I understand the financial constraints but if we can get—and I am willing to work with him—a design and a cost, I am sure that the people in the community would be willing to chip in, whether it is through fundraising or actually having an old-fashioned cookout, and get some guys to do some work, we would assist to reduce the cost.

I thank the Government for their positive consideration of the matter and I look forward to getting something done about it before next Easter. Thank you very much, Madam Speaker.

**The Speaker:** The question is: BE IT THEREFORE RESOLVED that the Government consider instructing the Department of Environment, the Public Works Department and the Lands and Survey Department to collectively develop and cost an implementation plan to restore the Water Cay Public Beach to its original size;

AND BE IT FURTHER RESOLVED that Government considers funding the implementation of this plan in the 2016/17 Budget.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 18/2015-2016—Motion to Restore Water Cay Beach passed.**

**PRIVATE MEMBER'S MOTION NO. 25/2015-2016—  
MEALS ON WHEELS PROGRAMME**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

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

*[Inaudible interjection]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Which one? This one? Why? You mean, you are going to support it? Okay then. I will read it and if you say yes, that's cool.

Madam Speaker, I beg to move Private Member's Motion No. 25/2015-2016—Meals on Wheels Programme. The Motion reads as follows:

**WHEREAS there is a growing number of elderly citizens in need;**

**AND WHEREAS the Meals on Wheels Programme has performed exceedingly well with a very limited budget;**

**AND WHEREAS the cost of living has increased;**

**BE IT THEREFORE RESOLVED THAT Government consider placing in this coming Budget a significant amount of funds to help offset the shortfall in the budget of the Meals on Wheels Programme.**

**The Speaker:** Is there a seconder?

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

**The Speaker:** The Motion has been duly moved.  
Does the mover wish to speak on this Motion?

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, again, this is a Motion which I hope will meet approval by the Government. It asks them to consider. Some people have been asking how we use the word "consider." We have to say for the edification of the public that the word "consider" is because we cannot as Backbenchers or Opposition Members put a charge on the revenue of the country, only the Government can do that. So anything coming from this side has to request. Even the Government Backbenchers have to make a request and use the word "consider." That is what the Constitution and the Standing Orders requires.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Yes. It has caused much contention over the years. Not just in recent years, but from the beginning, much

contention, Madam Speaker, when we were first elected.

Madam Speaker, the Cayman Islands Meals on Wheels Programme has been serving the Islands for 19 or 20 years. I recall when it began in—just after 1996 or before that, and it actually got started in October of 1997, at the T E McField Youth and Community Centre on School Road, where its headquarters and first kitchen is still located. During its first year, Madam Speaker, it grew from 14 seniors to over 30 seniors, from two days a week to five days a week. Madam Speaker, I do recall the behind the scenes work done by Mrs. Beulah McField who was the person that approached me as the Minister back then to start this type of programme in the community that she was doing so much work in at the time, as I said, behind the scenes. So, it grew from 14 seniors back then to over 30 seniors, from two days a week to five days a week. Today the Meals on Wheels Programme feeds 11 people in West Bay, 70 in George Town, 47 in Bodden Town, and 48 in East End. They operate some three kitchens, East End, Bodden Town, and George Town. And, of course, Madam Speaker, they do have other requests from those areas as well.

The current annual budget on Meals is \$260,000 per annum, and their administration is some \$52,000, just over \$312,000. The cost of fundraising event is offset by sponsorship, but of course, Madam Speaker, they just don't raise enough from the community, but we can see how much they do raise from the community. Madam Speaker, they do have requests. So there is an anticipated budget based on identified needs. Right now in West Bay there are 135 people that need servicing. In North Side, 35, and they are not servicing in North Side at all. So those additional meals will add over \$90,000 to the current—and you can believe, Madam Speaker, that there would be more requests from the different areas. I am sure that in George Town and Bodden Town, which are huge districts, we will find more people that would be looking, but not serviced, looking for assistance. So right now you are talking over \$90,000 to the current meal budget, bringing it to \$351,000 and an overall budget of \$403,268.

Madam Speaker, it is for those persons with illnesses that prevents them from temporarily providing meals for themselves, those referred by the NAU for temporary meals and walk-in seniors who are homeless, but because they are transient and not counted in the regular district schedules. Madam Speaker, the programme is supported by people from all areas of our community, from the grassroots to the expatriate living among us. They volunteer as well as donate time, making this service possible—time and money. Each day, Madam Speaker, more than 15 volunteers deliver meals across the Island and with a core group of over 100 volunteers they are able to do so five days a week. They are also helping in fundraising activities.

Madam Speaker, this began as a very humble programme by Ms. Beulah, and today look at what it is. It is providing a need that nobody else is able to meet on such a regular schedule. Our churches, Madam Speaker, provide and assist some people, as little as they can give them monthly or weekly. Some churches provide pantries now and some churches provide meals at special times, but the meals at special times—mostly at Christmas, and that is once a year. So we understand the kind of request that Meals on Wheels would be getting.

We want to put on record our appreciation, our thanks to Ms. Beulah and that Board, the Chairman, Mr. Rob Imparato, does a fantastic job in raising some funds at their annual event, but we can imagine the stress because they are not just doing this so, they are doing it because there is a need, and they want to see people helped. So when they can't help them, you know it adds to the stress on the programme and on their lives.

So, I would ask Government to consider the shortfall once they sit back down and discuss with the programme directors and the board, and look at the budget and see what they can squeeze in, at least to meet the shortfall for this kind of programme.

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

I recognise Honourable Minister responsible for Community Affairs.

**Hon. Osbourne V. Boddén:** Thank you, Madam Speaker.

Madam Speaker, the Government supports the Rehoboth Community Centre through a purchase agreement. Currently, the afterschool programme receives just under \$72,000 and the Meals on Wheels receive roughly \$52,000. There have been increases over the years to this amount and with budget cuts, possibly decreases. I understand because I have spoken to Ms. Beulah who runs the programme. That was originally set up the Rotary Club, in the same centre that they are in and handed over for the board to run through a private/public partnership.

One of the things that I had to do today was to apologise to Ms. Beulah because there was a grant extension request to my Ministry back in January and unfortunately it was not acted upon. The correspondence got mislaid, so when I saw this Motion I thought it strange because I know that there was an existing purchase agreement and the normal way to deal with that is to approach the Ministry for an extension if it is possible. When I asked my staff, then the correspondence surfaced and my chief officer immediately said, *Minister, we regret this but the correspondence was here and sadly had not been acted upon and processed accordingly.* So, my upfront apologies on that.

Now, in speaking to Ms. Beulah, and listening to the mover of the Motion, the Leader of the Opposition, it is clear that the programme has expanded well beyond the original remit, as it were. It started off basically as a George Town programme and now it is in all of the districts, as you have heard, and at varying degrees. There is no doubt that we have many people out there that benefit greatly from this and I know I used to facilitate it from my own business at one point where the lunches dispersed from there and at one point they were dropped off, and we used to have food at one point and we were asked to do the dispersions from there and then when we stopped doing food in the gas station, the food was actually brought there for some of the people to come and pick up. And I know the excitement and the benefit that this meal provides. I have personally delivered some of the meals as well, along with Ms. Hope Foster assisting her in Bodden Town. Therefore, there is no doubt in my mind that many people would sit there hungry if it were not for such programmes. So I have a great respect for this and Feed our Future, who looks after our young ones. They do a tremendous job and I want to congratulate Ms. Beulah for the hard work over the years and all those who have cooked and also delivered the food through the districts.

Speaking to her today, I asked her, because I hadn't really seen the grant request extension, what were we looking at? And she explained that there is so many pending, as the Leader of the Opposition explained, and it would be great if we could take some of these on. Well, the thing is budget, budget, and budget. As we know, funds are extremely tight here. Everything has been pretty much allocated for the upcoming 18-month budget which we will bring here shortly. Therefore, I had a mad scramble to ask where we could shift around some funds. We are in the process of looking at that. Something will have to be cut for some funds to go toward this. Now, the request was some \$80,000, unfortunately, I have already told Ms. Beulah that amount will not be possible. But certainly something towards that I would hope of significance will be forthcoming.

As I spoke to this morning, when I talked about the Needs Assessment Unit and Children and Family Services and all of the other social systems that we have in the country, we do a tremendous amount as Government and certainly the private sector also does its part. We see that at every fundraising event; the gratitude and the generosity of the Caymanian community, but we also have to guard against people who will seek to abuse the system. I am sure that Ms. Beulah and her team will ensure that these meals are going to worthy people. What I would ask though is that—and I will just say it here and also to my staff—we have some coordination, I know there is a certain amount as the Leader of the Opposition alluded to a while ago, saying that there are temporary cases that get sent over from the NAU that are not

really counted. But what I would like, if I could be so bold to ask for, is possibly a list of the folk who receive these meals be coordinated with the NAU. That we ensure, because people . . . there are people who will double-dip, as it were, being assisted on one end at the Needs Assessment Unit for food vouchers or whatever, whatever form of assistance they are getting, and at the same time being helped by another entity. So, we have to—and I am not saying that people, most of the people that are getting this I am sure deserve it, and are honest people, but there are people and we just have to do our best to expend our funds as wisely as possible.

We have caucused and spoken about this, and my guys on this side, the Government side, has agreed for us to look at this and see what additional funding we can do to support the initiative. Sadly, it's not the day of plenty so we will not be able to find the \$80,000 that would really top-up everyone that needs it at this time, but I do feel that we can find something that will go somewhere towards alleviating most of the pain, as it were.

Going forward, as the year goes on and next year, we can possibly, if there is something, extra funds, that are not being used or won't be used in a particular budget period, we can plan better and utilise those.

*[Inaudible interjections]*

**Hon. Osbourne V. Bodden:** I have been reminded by the faithful, your colleague, Madam Speaker, from the Brac, that any needs in the Brac we will be looking at those as well to see what we can do. I am sure there is not that much, but we will see whatever—we don't want anyone . . . the goal is to provide a safety net that will cover those genuinely disenfranchised and not doing well in our community. We don't want a community of people that are out there hungry, without shelter, and people that really just can't do any better. They are at the stage in life where it is either they do not have the income or they have been left alone, family that they have are too busy juggling their own problems and struggling to make ends meet. You know, it is not the Cayman that I grew up in, Madam Speaker. Back then I think it is safe to say that anybody who was . . . the people receiving these meals were being fed by family. It is as simple as that. We have a different country. The dynamics have changed and we have to be realistic. At the same time, we have to guard against abuse and that is what we try to do and make sure that value for money in whatever it is that Government does, and accountability.

Madam Speaker, with that, I offer my support and my undertaking to seriously consider this and to find as much funds as we can towards the shortfall currently being experienced. But, once again, I would ask that that correlation take place between the

Needs Assessment Unit and the Centre to ensure that there is no double-dipping, as it were.

Thank you, Madam Speaker.

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

I recognise the Minister for Education.

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

I too rise to give my brief but wholehearted support to the Government's position to look at seeing what can be done with respect increasing the support for this programme.

Madam Speaker, I have had the pleasure of actually interacting with the coordinator, the Director, Ms. McField, on this. And in particular, had discussions with her and actually ventured with her in seeing some of the homes and the families that they are looking to support, or they currently support in the district of West Bay, of course, the district that I represent, and the fact that they are looking to expand the programme in the district, so I certainly from that perspective support this Motion. I also agree with the approach taken by the Government as outlined by the Minister in looking at seeing to ensure there is the best sort collaboration between the Government agencies set up, such as NAU and the non-government agencies such as the Rehoboth Centre and what they do through Meals on Wheels to ensure that we actually do get as much coverage as possible to those who really need it.

With that, I just wanted to say that I do lend my support and I will be supporting the Government in trying to do what we can in this coming budget to the extent it is possible.

**The Speaker:** Does any other Member wish to speak? Does any other . . . sorry.

I recognise the Sixth Elected Member for the District of George Town. I beg your pardon.

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

Madam Speaker, I felt compelled to rise and support this Motion and thank the First Elected Member, the Honourable Leader of the Opposition, for bringing it. And also the Minister, the Third Elected Member for Bodden Town, and the Government for giving an undertaking to assist in whatever way we can, budget allowing.

Yes, I heard someone say "Rotary" and in fact, Meals on Wheels has been a very near and dear charity to myself. I spent many years in Rotary as a community service chairperson working with Ms. Beulah. My mother delivered meals as long as she could and when she couldn't quite find her way, I assisted her for a while longer. Even with our private business-

es, we have always supported the Meals on Wheels charity by assisting in the kitchen, with repairs of equipment, et cetera.

I can personally attest to the struggles that the Meals on Wheels Programme have gone through over the years. It was heavily supported by the Rotary Club of Grand Cayman, and it would be remiss of me if I didn't mention Mr. Larry Chorman [PHONETIC], who fought year after year with the club to continue to support the programme and he worked alongside of Ms. Beulah and I believe he may still be delivering to this day, many years later. Over the years the programme has grown. It used to deliver in the eastern districts, and it used to deliver in West Bay. In fact, in West Bay our Rotary Club went through the exercise of upgrading the Bonaventure Boys Home's kitchen so that they would be able to handle the workload of producing the meals for West Bay, as well as feeding the kids at the Bonaventure School. As all charities over the last few years of the recession, with Meals on Wheels being no different, the funding from the private sector dwindled away and they have been working very hard to raise funds to continue as funding levels dropped and the needs increased.

So, again, I think it is a fantastic charity. I think it is much needed. When you go out and deliver the meals, you quickly understand that it is not just the meal, but the fellowship that comes along with it. Many of our elderly citizens, the person that delivers that meal is the only person they see for the day—loneliness, and all they are looking for is. . . they sit at the door waiting, or they peek out the window if they are in the bed, waiting for that person to come and they can have a little conversation with them. It was always very funny to see our new residents on the Island when they joined the Rotary Club and they volunteer for Meals on Wheels to show up on Thursday at Rotary with a box full of breadfruit or cassava or something else that was traded to them for the food, and they had no idea what to do with it. They said, *Oh, you know, they gave me this. What do I do with it?* But for many people it is that fellowship. It is a meal for many as well, but some people just long to have someone come by and visit them. You can always tell after a long weekend. My mother used to deliver on Tuesdays, and after a long weekend, you could especially see the excitement as they probably had very little interaction with people over the long weekend.

One idea perhaps, Madam Speaker, that we could look into for the Meals on Wheels Programme when we speak about better collaboration between Needs Assessment and Meals on Wheels is to set up a soup kitchen-type programme, where instead of giving food vouchers to some of our needier, or some of those who are unable to help themselves, where we do know that these persons trade these vouchers for alcohol or for drugs or for cigarettes, perhaps we could set up a voucher system where they can go to the Meals on Wheels centre and get a meal and then

Meals on Wheels can bill Government for those vouchers. Perhaps this is one way so that we don't have double-dipping and so that we do really ensure. The idea here is to ensure that these persons have at least one nutritious meal a day. If we take away the opportunity for them to sell a \$25 or \$20 supermarket voucher to someone for cigarettes or alcohol or other drugs, but to actually take that ticket and go and get themselves a meal, I think we would be better served and perhaps cut out some of the double-dipping.

Madam Speaker, it is also important when we talk about charities, it would be remiss of me as I sit—I am still a member of the Rotary Club—but I also sit as a director on the Hospice Care board. Many people think, they see all of the many fundraising efforts that these charities carry out and they don't know exactly what it costs to operate the charity and exactly the extent of the work they do in the communities, and I can say they can all use more support. So, I take this opportunity here to continue to encourage the private sector to do their part in supporting these charities, but I also stand here to encourage the Government to continue to find ways in which to better support these charities and to ensure that we are able, as the Minister said, set up that safety net to catch those who most need it and to provide care and relief for those who most need it.

Madam Speaker, it is very difficult for us to make the choices when we have to decide on what charity we make donations, and all charities are great charities. And I know that many when they read or see this on the television, or hear it on the radio are going to say, *Well, what about us?* I can say that this is something that we struggle with every day within the Government and we would love to support all the charities out there on a much bigger scale, but we simply can't. And so I say thank you to the Government for what we do and, again, I would just like to encourage the private sector to step up and assist in whichever way they can.

Thank you, Madam Speaker.

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

The Fifth Elected Member for George Town.

**Mr. Winston C. Connolly, Jr.:** Madam Speaker, I rise to give support this Motion by the First Elected Member for West Bay. As a George Town representative, I know full well what this service does in George Town having in the past done a route, and just going around with the team. Although I am not in the same Rotary Club, Madam Speaker, Rotary Clubs in the Cayman Islands have over the years giving their support and, I think, the Rotaract Clubs as well have. But I think it would be remiss of me not to thank Ms. Beulah and her team because what they do with what they have is not much shorter than Biblical in terms of multiplying and feeding the masses. And like the Sixth Elected

Member for George Town said, when you show up and they know it is Meals on Wheels, you see the smiles on the faces, you see the gratitude of the people that they serve. It is not something they do once a month, it is not something they do whenever they can; this is day in and day out service. I think, not to belabour what other people have said, I would just like to publically thank Ms. Beulah and her team because without them there would be a void in a lot of people's lives and I dare say their stomachs.

At times like this we need to take stock and look at what our people are suffering from. We like to say that we are one of the most affluent countries in the Caribbean, in the world in terms of per capita income. Madam Speaker, you just have to go 200 hundred yards down the road and you realise that there are a lot of people that have missed that gravy train. Meals on Wheels, Feed our Future, Hospice—all these groups tend to supplement what Government already does in social services, but I would like to remind each one of the Members here that when we are giving charity, I would almost recommend that we look to give to these types of organisations rather than individually because they have a better idea of who actually needs the services. They do that job very well and I think they can supplement our NAU and other groups like that.

We know that when we give the money to outfits like Meals on Wheels, instead of doing it on an individual ad hoc basis, people can't point fingers at us and say we are doing it for political reasons. That is true humanitarian reasons. That is true charity because we don't know who is going to get it. But we do know that somebody needy is going to receive it. So, I think that one of the things that I would like to implore on all Members here is that think about the charities before we do it on our basis, because by helping them we are going to spread the wealth. I know, for example, if we give somebody \$15, \$20, I know that the Meals on Wheels would take that \$15 or \$20 and multiply it so that not just one person will get the benefit, but a number of people will get the benefit.

With those few words, Madam Speaker, I would like to again ask the Government to consider this Motion because I think the more that we can do for these types of organisations, the bigger the benefit to the community. Thank you, Madam Speaker.

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

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

Madam Speaker, I too rise in support of the Motion. I just want to say that we will, as the Minister for Community Affairs said, we will try to find as much as we can to assist the Meals on Wheels Programme.

Madam Speaker, I have known Ms. Beulah and her family for quite some time. As a matter of fact, I resided in the house where the Meals on Wheel Programme now operate from. So it is always a wonderful flashback down memory lane whenever I drive by and remember my childhood in that house. I think Ms. Beulah should be commended for what she does. I recall her mother and her father, and both of them were very honest, hard-working people, very generous and in many respects were quite respectful in that community, quite generous in their own nature.

So, Madam Speaker, the Government, in my opinion, does a tremendous job in assisting the various charities. I know in my capacity I will often get requests for waivers from various charities, Feed our Future, and various other charities: Hospice, Cayman Heart Fund, all of those. We try to find ways in which we can make the most meaningful impact with the waivers that we give because, of course, whatever the Government can do, whether we give them cash or we reduce their expenditure, both enables them to stretch their monies that much further. So we will do our best to see how much we can find, as much as we possibly can to ensure that the Meals on Wheels Programme is able to reach as many people as it does and, if possible, even more. Because as the Second Elected Member for Bodden Town said, there is a growing need and we recognise that.

So with those few words, Madam Speaker, I give it my full support and to the Leader of the Opposition I commend him for bringing this particular Motion in behalf of the Meals on Wheels Programme. Thank you.

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

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

I just want to rise briefly to also give my support for the Motion and to thank the First Elected Member from West Bay for bringing it. I think it is an important Motion. It stresses the point that charity does in fact begin at home.

Madam Speaker, I know through experience I've seen for myself in my district of Bodden Town that Meals on Wheels is a service that is heavily relied on by some of our constituents who are unable to make ends meet and find themselves in the predicament of not being able to fend for themselves and I know Meals on Wheels provides a very valuable service. I wholeheartedly support trying to find the necessary funding to keep that programme going.

As the Minister for Community Affairs stated previously, Madam Speaker, there is an increase in requests for assistance from the community to the Family Services Department and NAU. While we as legislators have to look for the root causes of these and try to address them through policy, it is also use-

ful for the Government to assist programmes such as Meals on Wheels so that people can find the relief that they need on a short-term basis because it takes time for Government to put things in place and for the economy to correct itself and for things to get better. So, in the interim, services like this are extremely valuable to the community.

I previously acted for the Minister of Finance and I know and agree with him, his Ministry does do what it can in terms of relieving some of the costs for operating for charities. I was actually quite surprised that his Ministry actually did so much, when I was fortunate enough to act for him. But, Madam Speaker, charity does begin at home and I would implore the Government to please dig deep and look for the necessary funding that could be moved and put into this programme. It is something that is very much needed in the community and it is something that I would hate to see fall away.

With those few short words, I just want to again thank the Member for bringing this Motion forward and I look forward to voting yes.

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

If not, I will call on the mover to respond.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, it is heartening to see the support that we can get when we publically bring matters to the forefront. The Minister did admit that it was just a mix-up why funding wasn't granted.

Madam Speaker, just to say that back in '96 the Rotary [Club] built the building; the T E McField building. They spoke to me about the community programme before they did the building, and they discussed with me about the Meals on Wheels Programme. And so, Ms. Beulah was already doing her community outreach and so I spoke to her to move it forward. Whatever Rotary wanted, they wanted to relinquish and hand over to her. It has been, as I said earlier, a labour of love for her and it is the same for Mr. Rob who so enthusiastically chairs the board and does the fundraising. We thank him and his family and all those others who donate.

Madam Speaker, I took note of the Government's admission of being tight in budgetary measures, but unless things have changed, they do have a good surplus. To fund—

*[Inaudible interjections]*

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

*[Inaudible interjections]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** I know we got. . . I know what the ratio is. I know about ratios, but a \$150,000 that is not going to stop this Government from getting to those ratios.

*[Inaudible interjections]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** No, you can put more. It can't be that tight that you can't find that. You see, you gave \$500,000 overseas. And that leaves—the truth is when we do that sort of thing, which we must at times do because of our relationships, but when we give that kind of money overseas, then, the expectancy here grows. As people say, charity begins at home.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** No, no. I very well appreciate the Minister saying that he is going to support it. But what I am worried about is that it might be a meagre sum. I am challenging each one of you, the seven of you on the front bench, including the Minister for Cayman Brac, because we know that there are needs there and we would hope that some of those needs could be met. Certainly, he would have my support. He and the Speaker know that anything I can do for Cayman Brac, and if they don't do it, I am going to do it when I get back in to lead the Government again.

*[Laughter and inaudible interjections]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** You all are so weak that you jump at every little ant.

*[Laughter]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Don't think I don't see it. It is not going to be trouble about getting there, it is about who I'm getting there with. That's the worry.

*[Laughter and inaudible interjections]*

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

*[Inaudible interjections]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Not this trip Bobo.

Madam Speaker, I understand and I hear each Member over there, but all the talk go nowhere if we can't funds. I am saying, I know it is tight, because there are many calls on Government revenue, but I am sure that you can search and find that much between the seven of you. Can't be that you can't find \$20,000 each, and I would hope that that would be the

kind of donation so that it can really reach not only those as . . . because what is obvious is that there is a need and what is obvious is that she has these requests, but there are more. Unfortunately, when we do have to do it like this, those requests will become more prevalent and more in numbers. So go dig deep, search your conscience, and all of you that got up and made all these nice little talks about who went where and who lived where and who walked up and down—talk is cheap, including my cousin—find it!

*[Laughter]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** You are too tight. That is what is wrong with you.—

*[Inaudible interjection]*

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

Madam Speaker, it is good to get some levity, but I must tell you that what I am saying here that while we can grin at it, it is not a joke. They need the funds.

**Mr. V. Arden McLean:** All right, that's enough. We got to go. We got to go.

**Hon. W. McKeeva Bush, Leader of the Opposition:** You got to go?

**Mr. V. Arden McLean:** Yeah.

**Hon. W. McKeeva Bush, Leader of the Opposition.** All right, Arden wants to go.

*[Laughter]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, I want to thank the Minister for agreeing to examine their budget and I hope that the Minister of Finance will scrape \$20,000, at least, from each one and be able to help Ms. Beulah and Mr. Rob and the board and indeed in doing so help our people. I want to agree with the Sixth Member for George Town who talked about the good work that the various social organisations—Rotary, Lions, Hospice Care, Kiwanis, (I was a Rotary too, you know, I was a Rotarian.)

*[Inaudible interjection]*

**Hon. W. McKeeva Bush, Leader of the Opposition:** I was. I found that I could do more by myself and I didn't have to publicise it, and I don't, over 30-odd years more than that I said yesterday, and I don't publicise it. But those organisations, I often say that if our Government had to find the money to do the work that Lions has done over the years, and do the work that

Rotary Club has done over the years, and now doing the kind of work that Kiwanis and especially Hospice Care, we would not be able to afford it. We would not be able to afford it! We would have to find special revenue somewhere.

I am telling you, with a growing, ageing population we don't know what our economy is going to be like. I know you all know the same things that I know, that there is not such a bright horizon over there, as much as we talk. Funds are going to become difficult because of the economy and because of the pressures on Cayman. So we better try to find a way that we can find money and earmark it for social development and social needs. We can help impact the budgets of those various groups. You know, we spent over, what? It must have been over \$700,000 on sinking that ship. We never heard que-hey about it. It was a good thing. We also had to give the Pines [Retirement] Home, and the Speaker will remember all of this. I think it was about \$750,000. But that is small in comparison to the write-offs the Government does for people, and you don't hear anything about it. We give people on their imports, reductions because we want to help the economy, we want to help people. Sometimes you don't hear anything about it, but I know what goes on behind the scenes. So we better start thinking about how to find the relevant revenue to direct the social development and social needs in the country because we have a growing, ageing population, and the other needs are not lessening, they are growing.

Again, I want to thank the Minister for his going to get us that \$140,000.

Thank you.

**The Speaker:** The question is: BE IT THEREFORE RESOLVED THAT Government consider placing in this coming Budget a significant amount of funds to help offset the shortfall in the budget of the Meals on Wheels Programme.

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

**AYES.**

**The Speaker:** I believe the Ayes have it.

**Agreed: Private Member's Motion No. 25/2015-2016—Meals on Wheels Programme passed.**

**The Speaker:** I recognise the Honourable Premier as we have reached the hour of interruption to move the motion for adjournment.

*[Crosstalk]*

**The Speaker:** We are at 4:30 and if I don't get a motion for the adjournment for the interruption then I will adjourn at 4:30.

[Crosstalk]

**Mr. V. Arden McLean:** Madam Speaker—

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

**Moment of Interruption—4.30 pm**

**Mr. V. Arden McLean:** —since the Premier's seat seems more comfortable than his feet, I move the suspension of relevant Standing Orders for us to continue after 4:30, but we would like to do a suspension shortly, as soon as that has been carried, for 30 minutes or so. We have an urgent appointment.

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

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

**AYES.**

**The Speaker:** I believe the Ayes have it.

**Agreed: Standing Order 10(2) suspended.**

**The Speaker:** The House will now take a break and we will resume at quarter past five.

**Proceedings suspended at 4:35 pm**

**Proceedings resumed at 5:14 pm**

**The Speaker:** Please be seated.  
Proceedings are resumed.

**PRIVATE MEMBERS' MOTIONS**

**PRIVATE MEMBER'S MOTION NO. 22/2015-2016—  
REVIEW OF PILLARS OF CAYMANIAN ECONOMY  
AND PROMOTION OF A BUSINESS FRIENDLY  
INVESTMENT ENVIRONMENT FOR THE REIN-  
SURANCE AND FINANCIAL SERVICES  
INDUSTRY**

**The Speaker:** I recognise the Honourable Fifth Elect- ed Member for the district of George Town.

**Mr. Winston C. Connolly, Jr.:** Thank you, Madam Speaker.

I rise to propose a Motion entitled Private Member's Motion No. 22/2015-2016—Review of pillars of Caymanian Economy and promotion of a Business Friendly Investment Environment for the reinsurance and financial services industry.

**WHEREAS the Cayman Islands Govern- ment has identified financial services and tourism**

**(including medical tourism) as central pillars of the economy;**

**AND WHEREAS reinsurance and fund management should be considered as key strategic growth sectors of the financial services industry in the Cayman Islands as part of an economic growth plan;**

**AND WHEREAS it is necessary to establish favourable immigration policies and licensing processes in Cayman to attract high level financial personnel and reduce bureaucracy in doing business in Cayman, any changes should always be carefully considered and ultimately for the benefit of the country and its citizens.**

**AND WHEREAS geographically, the Cayman Islands has a disadvantage to other jurisdictions such as Bermuda in attracting reinsurance companies and fund managers due to their proximity to major financial centres. The Cayman Islands Government should endeavour, through incentives or otherwise, to ensure that airline carriers are adequately flying from the major financial centres of New York, London and Toronto to and from the Cayman Islands;**

**BE IT RESOLVED THAT the Government considers a critical review of the business environment, particularly in the reinsurance and hedge fund management sector;**

**AND BE IT NOW FURTHER RESOLVED THAT the Government in addition to considering relevant and appropriate incentives, should consider investing sufficiently in the staffing and offerings of the Cayman Islands Monetary Authority (CIMA), and the infrastructure for sustainable, appropriate and measured development on these Islands which benefits the citizens of these Islands;**

**AND BE IT NOW FURTHER RESOLVED THAT Government should also encourage the development and offering of innovative products and services within these two sectors, seek to maintain compliance with high international standards of financial regulation, anti-money laundering and tax cooperation and seek to obtain strategic accreditation status (such as those recognised by the US National Association of Insurance Commissioners (NAIC)) in order to achieve the planned growth of these two sectors;**

**AND BE IT NOW, THEREFORE, FURTHER RESOLVED THAT the Government considers providing a dedicated legislative drafting resource to help update the existing and relevant financial services laws to accommodate these key financial services sectors.**

**The Speaker:** Is there a seconder?

**Mr. Alva H. Suckoo, Jr.:** Madam Speaker, I rise to second the Motion.

**The Speaker:** The Motion has been duly moved.  
Does the Mover wish speak thereto?

**Mr. Winston C. Connolly, Jr.:** Thank you, Madam Speaker, I will.

Madam Speaker, having received several calls and attending several meetings with industry practitioners, I felt compelled to add my voice to that already of the Government, but to focus some of the movements to enhance the pillars of our Caymanian economy, specifically in the reinsurance and fund sectors.

Madam Speaker, having spent all my adult professional life in either regulation or private practice in the financial sector, certain members that have come to me, have implored me, to use my knowledge and experience and to add to the voice of this honourable House.

Since the establishment of pioneering hedge fund sponsored reinsurer Greenlight Re in Cayman in 2004 there has been an increased number of hedge funds and fund managers who have sought to put capital to work in the reinsurance market where benefits include diversification, reduction and volatility of asset flows, risk adjusted returns, and tax benefits to US taxable investors. I am happy to add my voice to the financial services sector which has made representations to the Cayman Islands Government as well.

Madam Speaker, I would like to thank the Fourth Elected Member for the district of Bodden Town for seconding this Motion because we believe that there is a need for implementation of a strategic plan to outline the economic gain that Cayman can achieve and could achieve by attracting and growing these sectors.

Madam Speaker, an increased number of reinsurance vehicles are being formed in the Cayman Islands as it is a key jurisdiction in this area and it offers several benefits, such as the leading fund and insurance domicile. It is the premier hedge and private equity fund jurisdiction and one of the largest captive insurance jurisdictions. It has established a first world infrastructure and legal and judicial system. By International Standards the Cayman Islands is a safe and secure jurisdiction, which is consistently ranked as a market leader for its robust compliance regime and regulatory protocols. And I must commend the Government on its stance in leading the charge to be compliant with the FATF Global Standards and seeking to have a strong record of transparency and cooperation with international regulators, such as the OECD and the IMF.

Madam Speaker, Solvency II. And I am sure there have been some movements and some talks by the Government, but unlike other jurisdictions, Cayman had traditionally chosen not to pursue the regulatory equivalents of Europe's Solvency II directive. North American focused fund managers took particu-

lar note of this, and we have had, again, interventions asking us to further this type of regulatory equivalents.

Madam Speaker, by reducing impediments of doing business in the Cayman Islands and bureaucracy, not only will we add to the reputation of a highly regulated jurisdiction committed to the development of our financial services industry, we will actively and (I dare say) favourably entice some of the biggest players to these shores.

Madam Speaker, one of the major concerns from the industry is security of tenure. And, although, we have in the past, given key management roles extended work permits, I think that we can do better in terms of giving some of them permanent residence at an earlier date. Because, Madam Speaker, the representations say that if we can give them the security of tenure that they need, that they request, more will come.

Madam Speaker, when you look at these types of incentives I would stress that we always have to look at them with two things in mind—are they good for the Cayman Islands? Are they good for Caymanian citizens and residents?

Madam Speaker, incentives could be packaged to attract the largest reinsurers and biggest fund managers. Certain minimum capital requirements could be stated. The obligation to hire a certain number of Caymanians at management levels coupled with rebates on work permit fees, obligations for training and promotion, and like I said before, quicker PR with the right to work.

Madam Speaker, the types of people that we would want to attract here in these roles to provide opportunities for our people, also, in many instances require an expedited immigration process. We really need to get to what I would call a 'white glove, red carpet' treatment because as much as we would like to think that people are clamouring to come to Cayman because it is Cayman, we have to be cognisant that there are other jurisdictions that are willing to do just about anything to attract these same types of people. We have to have an immigration regime that works hand in hand with government policy to allow five-day business turnaround on proof of genuine desire to relocate to Cayman by these reinsurance executives and fund managers.

With that being said, Madam Speaker, we cannot just bow or bend over and allow these types of people to come without having that long term plan and vision for our people—how they will be hired, how they will be trained, how they will be promoted. And we have the regime that can do that, Madam Speaker, the Business Staffing Plan, and if we have annual returns which show the levels of training and the achievements of competency by the Caymanian staff, when we track these types of things, Madam Speaker, everyone benefits.

Madam Speaker, representations have been made to me that we need to go past a ten year work

permit in some instances if we want to attract the highest group of executives. The suggestion has been a 25-year work permit. But Madam Speaker, if we concentrate on the permanent residency aspect that I spoke to earlier, I do not think there would be a need for that. In places such as Singapore when you have skill sets that you do not have currently in the jurisdiction, one of the enticements is permanent residence after a shorter period of time. So, we as a country need to be either committed and fully on board and recognise the benefits that these companies can bring, or we need to say very clearly we are not prepared to do so. And I put it to the Government that we need to make decisions for the future of these islands and some of it will not be status quo.

Madam Speaker, again, I would stress that any of the things that I am talking about have to be for the benefit of the jurisdiction and the country, but especially for our people. And we cannot just give without getting.

Madam Speaker, we need to have all hands on deck and all areas of Government going in the same direction. We cannot have the Government giving a policy and then departments in Government doing something different. So we need a coordinated effort, Madam Speaker, and if it means changing laws and policies . . . if this is what we want, then we need to roll up our sleeves and put them in place.

Madam Speaker, we are under threat every day by outside forces. One just needs to read the headlines if they are not in the industry. Those that are in the industry know full well and those of us in Government know all too well, and as we react to some of those threats we also have to proactively think about years into the future—what we want Cayman to be, what we want it to look like, what we want our children to have by way of opportunities.

Madam Speaker, just like we do in the construction and tourism sectors where we offer incentives to facilitate growth, we have to do the same to diversify our financial sector in a meaningful and sustainable way.

Madam Speaker, we have to decide as a Government, as a country, how we want to be known to the world. Do we want to be known as one of the most business friendly places? Do we want to create the environment that attracts inward investment and immigration to the Cayman Islands? Or do we want to keep the status quo?

Madam Speaker, when we are making these plans and trying to carve an identity for ourselves, I think it goes back to an economic growth plan where we have all areas moving in the same direction. Because we can sit here, Madam Speaker, and make laws ad nauseam. The Government can make policy ad nauseam. But if the civil service and other departments will not carry out those policies, then we are spinning tires, Madam Speaker. And, at the same time, we need to be realistic. We need to understand

what we can and cannot offer and not offer the moon and stars and deliver something else. Because it is about reputation, Madam Speaker, something that we should jealousy guard—every single citizen of these islands. We also have to have the necessary personnel to provide these essential services once we go out and court them at the expected levels in terms of professional background, expediency, and I dare say friendliness.

Madam Speaker, I did say that I know (having recently been on the Government backbench) that some of these things are being done. And this contribution today is just to memorialise those two areas—the reinsurance and the fund management side—Madam Speaker, and just to focus on what industry representatives have come forward and presented as key growth areas that need continued focus and a final plan.

Madam Speaker, the Cayman Islands is an excellent place to live and work with professionals experiencing a very high standard of living. We need to continue to reaffirm our dominant position in the existing categories, but diversify to add certain others.

I would commend this Motion to the Government to be added or put alongside what they are already doing, but not to lose focus of the relationships we form with industry and the private sector and to continue to work with groups like Cayman Finance and have them lead in some of the directions we are going because, after all, they are industry and they are in the trenches every day. And our role is to translate those wishes into real opportunities for our people and our country. And when that balance is achieved, Madam Speaker, the future will remain and be very bright.

Thank you for allowing me to present this Motion.

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

Does any other Member wish to speak?

Last call—does any other Member wish to speak?

The Honourable Minister responsible for Financial Services.

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

Madam Speaker, let me thank the Fifth Elected Member for George Town for bringing this Motion. As he has indicated in his contribution, Madam Speaker, much of what he refers to in terms of his contribution in support of the Motion, is underway or is in effect to some extent. But I think we certainly share a similar perspective in understanding the value of the financial services industry to the country, to our economy, and the opportunities—the very significant opportunities—it presents to our own people, our Caymanians, whether they are professionals, whether

they have technical skills, because, Madam Speaker, even though we have a core industry with a broad range of skills and qualifications required and careers and opportunities available, there are a whole range of services, service providers, product providers around that industry as well that help to support that industry. And those businesses are crucially important to our economy and to our opportunities for our people here as well.

Madam Speaker, this Government entered into a Memorandum of Understanding with Cayman Finance, I think it is probably more than two years ago now, specifically with the view and with the objectives of working with industry very closely. My Ministry [is] working with industry, helping other areas—the Cayman Islands Monetary Authority, for example—facilitating a combined joined-up perspective and approach to help address many of the challenges that we have faced over the last several years. And certainly, we are working very hard to address many of the challenges that we know we will be facing in the coming couple of years as well. As early as the second half of next year we have the CFATF assessment and industry has been working with Government to help address those issues through the National Risk Assessment Initiative and Programme to help identify the areas that need to be addressed, need legislative amendments and tweaks to ensure that we can pass the CFATF assessment and maintain the excellent rating and the excellent reputation that we have.

In addition to that, Madam Speaker, we have been working with industry both through Cayman Finance as well as through many of the other specific industry representative bodies.

Madam Speaker, Cayman Finance is the broad umbrella organisation which represents industry—the financial services industry. But, of course, there are many very important sectors and components to the financial services industry. And what my Ministry has done is that we have sought to ensure that while we work very closely with Cayman Finance and we seek to address the regulatory and the super-national initiatives that we are facing, we also are very conscious of the need to assess from a strategic perspective how we grow, how we support and how we continue to grow our financial services industry.

Madam Speaker, one of the ways that this is reflected is in a number of working groups that Cayman Finance and the Ministry are working together in to look specifically at strategic areas of growth opportunities. And, certainly, one of them is in the reinsurance area and more broadly we are certainly looking at ways to attract businesses and attract people, because at the end of the day it is the people you need to have located in Cayman. If you do not have them on the ground here the businesses are not committed to Cayman and the value is limited.

So, Madam Speaker, we have worked together with Cayman Finance, for example, and the very

valuable Financial Services Legislative Committee to draft a lot of new legislation, some of which we are currently dealing with in this House, some of which we have previously addressed and passed and have proven their value, proven to be well-received by industry by those customers, those international clients, that utilise the Cayman Islands. I am talking about things like the Exempted Limited Partnership Law. Of course, we are just dealing with the Limited Liability Bill (at this point) which will, hopefully, upon passage shortly, be a bill which contributes an extremely valuable new financial services product and vehicle.

All of these things, Madam Speaker, represent a very joined up and cohesive approach—working with industry, collaborating with industry—to achieve the best possible outcome to support the financial services industry, to give them the new cutting edge products and services that they want, that the clients in the jurisdiction want, and they need to demonstrate that Cayman remains at the leading edge, at the forefront, of this industry globally.

Madam Speaker, some of these working groups that we have been engaged with through Cayman Finance are specifically looking at areas, a variety of different areas, to come up with strategies to address how we pursue the additional growth areas, how we attract that business here.

Madam Speaker, the Cayman Islands has been extremely successful in this space. And given the economic climate in the past seven or eight years, given the challenges that have faced us as a jurisdiction, the international initiatives that oftentimes are based on misunderstandings, certainly in terms of their application to the Cayman Islands, we have done extremely well. And I agree with the Fifth Elected Member for George Town, we need to continue to find ways to pursue growth. Because if we are standing still, while everybody else is pushing and trying to find ways to generate growth, we are going to go backwards. So, we constantly have to remain engaged and seeking ways to pursue this growth, to continue to make ourselves attractive and to even increase that.

Madam Speaker, certainly, one of the issues that have been identified to us is the issue of tenure. High level executives, in particular, who are the real decision makers in these sophisticated high-level, high-end, businesses that operate in the global financial services market . . . they expect to be welcomed. If they are going to come into your jurisdiction and your country and establish businesses and be a part of the economy and hire our people and provide those opportunities we talked about earlier, they expect to be welcomed. And the Fifth Elected Member for George Town mentioned that they expected more than a 10-year permit.

Madam Speaker, in fact, under the Immigration Law we already have a provision for a 25-year work permit and that relates to persons in senior management capacity. It is limited to certain areas,

but I will mention those areas just to demonstrate that they are very significant areas which are relevant to the financial services industry.

Madam Speaker, these include: fund administration; brokerage services; investment and fund management services; investment banking; financial trading; captive insurance or reinsurance management services; reinsurance underwriting; family offices; hedge fund incubation; and I think there are one or two other areas that I am missing at this point, but those are fairly broad categories, Madam Speaker. And it is probably true to say, certainly, and I have noticed it that there is a . . . and I do not quite know why it is, but there is a limited understanding that this facility exists under the Immigration Law.

Madam Speaker, just as an example of the focus that the Government has pursuing each opportunity that we can, we have fairly recently managed to have a reinsurance company relocate from one of our competitor jurisdictions or commit to doing that. And one of the issues was they wanted additional tenure, they did not seem to be aware of the 25-year work permit and when it was brought to their attention that was certainly something that made them extremely happy and willing to commit. And that is not the only thing, Madam Speaker; there are certainly other areas that are relevant in that context.

Madam Speaker, we have a number of initiatives which are underway and I have certainly, as recently as January of this year, I think, perhaps, a little earlier than that, although I cannot remember the event, but I think as recently as January of this year in New York when I spoke at our now Annual Breakfast Briefing Event, I outlined the platform that we were building in connection with attracting business—reinsurance businesses—to the Cayman Islands.

The initiatives include, Madam Speaker, first of all we are, I think, I know the Member for George Town is likely aware and many other Members may be, that we have had difficulty with replacing the head of CIMA's Insurance Division. There is now a very real focus on that and as far as I am aware, fairly recent interviews have been conducted which I think will shortly result in an offer being made to someone to fill that position. That is important, Madam Speaker, from a perception perspective as much as anything else because industry wants to feel that the Authority, the Government, is serious about these issues and wants to have someone who is there as the head in a permanent capacity that they can address issues to, and they can resolve problems and get clarity. So, we think that that is one of the areas that will be resolved fairly shortly. That is one of the parts of our initiative to ensure that businesses have, in this particular area, the reinsurance market, have confidence in the initiative and being in this jurisdiction.

In addition to that, Madam Speaker, we are working on requirements—capital reserve requirements and insurance fee requirements—with the

Cayman Islands Monetary Authority to ensure that they are in line with market rates.

Madam Speaker, there are, for example, you may have reinsurance businesses that are writing policies in different types of businesses, which some are more long term, some are shorter term, and the capital adequacy requirements may be different in relation to different areas. So, one of the things that the Monetary Authority has been engaged in, is ensuring that they have the requirements appropriate for each type of business area. This is one of the things that helped in a recent decision to have a reinsurance company relocate to Cayman.

Similarly, Madam Speaker, we have had a situation where the fees for a particular type of D Licence (which is the reinsurance type licence) were regarded as being out of the market . . . out of the normal competitive range. So, that is an area that is being addressed at this point as well.

The Member mentioned in his contribution on the Motion about the National Association of Insurance Commissioners (NAIC) Equivalency. That is another area that we are seeking as an initiative to address as well and seek equivalency with.

Madam Speaker, that is a process which takes three to five years, but of course, if you do not start it you are not going to get there. We have started the process—the Cayman Islands Monetary Authority has done the initial self-assessment. And assuming several years down the road we get the equivalency, it will put us in a good position to facilitate additional reinsurance business growth. In the meantime, the mere fact that we are on that path and seeking and doing that, is in itself an attraction.

So Madam Speaker, I am going through these details just to indicate the level to which the Government is engaged with our Regulator, with industry, in ensuring that appropriate actions are being taken, that a strategic perspective is adopted, seeking the kind of growth that the Member referred to in his Motion. These are all very important things and, Madam Speaker, it is critical, as I said, for us to be able to go at this in incremental ways and pursue every opportunity that comes along. This business is a funny business, once you gain momentum, once we have some traction in areas where we did not have traction before, the market tends to follow you if all the other factors are lined up appropriately. And that is what we are trying to do, Madam Speaker.

I know that sometimes there is a perspective that the financial services industry is only for certain people. That is not true, Madam Speaker. There are thousands of Caymanians who rely on the financial services industry for wonderful careers, for great jobs, and I do not have to say, of course, that it contributes around 45 to 55 per cent of our GDP, depending on the extent to which you take the direct, indirect and indirect benefits. And certainly, from a Government revenue perspective it is in the region of about 55 per

cent direct revenue, Madam Speaker. So, it is absolutely critical to us that we continue to support this industry and this Government is doing exactly that. We are pursuing the reinsurance area. We are working on, through these working groups, on other areas as well, to specifically identify from a strategic perspective what it is we have to do.

As I said, Madam Speaker, one of the things that is critical is getting the senior people to Cayman. One of the threats to Cayman has always been the argument that there is no substance, that they are just post boxes. The defence to that, Madam Speaker, is to ensure that we have the substance, to ensure that we have the people on the ground here—that having those people here, having that substance on the ground here, is our best defence against external threats, best defence against some of these arguments and it certainly makes it a lot harder for business to leave the jurisdiction and go elsewhere.

Madam Speaker, as I said, we are talking about individuals, senior people. The quality of life, which the Member touched on, is certainly very important. The fact that we have a tertiary healthcare facility is something that means something to them. We have good schools. We have a good quality of life. We have a wonderful place to live. And, Madam Speaker, we are geographically well located.

Of course, one of the things that we have been discussing as well, Madam Speaker, is a way to improve our airlift to business centres. So, for example, if we had daily flights to New York we would be in a much better position. But, of course, we do have—sorry—*lots of daily flights*. We do have some daily flights. Our national airline flies there on a seasonal basis and I am very happy to be able to use that when I have to travel to New York. But certainly, if we have lots of airlift that is a very important feature. If you combine all of these aspects of a quality of life and the features, this type of thing is an attraction to these senior executives.

What will detract from that, Madam Speaker, are things like crime that impact all of us, things like people who have perspectives which are less than kind and less than welcoming. We have to understand as a country that this industry in this jurisdiction is very significant and we have to be above some of the petty things that are said from time to time and recognise the value of this business, recognise the value of this industry to our people and to the country overall.

Madam Speaker, the Motion talks about considering investing sufficiently in the staffing and offerings of the Cayman Islands Monetary Authority. As I said, we are focusing on putting the new permanent head in place for the Insurance Management Division. That, I think, is imminent (fingers crossed). But also, Madam Speaker, this Government has committed some three-plus million dollars in this upcoming budget . . . I think it is about \$3.2 million to ensure that our Monetary Authority has sufficient capacity and has the

resources to properly regulate a jurisdiction that is as significant as the Cayman Islands in the global financial market.

So Madam Speaker, resources have been and are being applied in that respect. Of course, one of the reasons for that as well is to ensure that we can demonstrate that we have the capacity to address the regulatory needs and satisfy the assessments that are coming up over the next couple of years. Because, Madam Speaker, these assessments that have been carried out have been assessments which decide whether you have the right technical provisions in place. Those are the ones in the past.

Today, Madam Speaker, and in the future over the next couple of years this assessment is going to be about not just whether you have the technical provisions in place, but whether you can demonstrate effectiveness. And certainly if you do have the sufficient staffing, resources and capacity to demonstrate that you can regulate appropriately, then you have an issue. And that, Madam Speaker, is a failure we cannot afford.

Certainly, Madam Speaker, the Motion refers to anti-money laundering and tax cooperation obligations and achievements and requirements. I think the Member very clearly outlined that we are second to none in this area. We have all of the on request structures in place through the Tax Information Exchange Agreements. We have the automatic exchange for tax information through FATCA, the US FATCA, through UK FATCA. We have—

*[Inaudible interjection]*

**Hon. G. Wayne Panton:** —you asked for it. Through UK FATCA and now, Madam Speaker, through the Common Reporting Standards.

**Mr. V. Arden McLean:** He's getting like Rolston.

*[Laughter]*

**Hon. G. Wayne Panton:** Madam Speaker, if they do not want to know the information they should not bring the motions.

**Mr. V. Arden McLean:** I hear you, Wayne, I hear you.

**Hon. G. Wayne Panton:** So Madam Speaker, I am very proud of where this jurisdiction is. And I think, as a country, as a jurisdiction, we should no longer be apologetic for where we are and the significant role that we play in the financial services industry globally. We have nothing to be afraid of.

Today, Madam Speaker, and not just today, but it certainly has been that way over the last few years, we have had lots of slow growth for too long. But . . . and some of the challenges have been, for example, the slowdown in growth in China, others

have been reduced international trade, reduced direct investment, reduced transactions in relation to infrastructure.

But imagine, Madam Speaker, if the Cayman Islands did not exist and did not facilitate the volumes of global trade that we do and direct investment. The global economic performance would be less. We would we be—

**Mr. V. Arden McLean:** Of course, absolutely!

*[Applause]*

**Mr. V. Arden McLean:** I totally agree with you. Totally agree.

**Hon. G. Wayne Panton:** —as a world we would be worse off.

So I am very proud, Madam Speaker, that this jurisdiction serves a very critical purpose and I think we meet international standards—

*[Inaudible interjection]*

**Hon. G. Wayne Panton:** —we meet international standards and we will continue to do so with the help of all Members in this House and, certainly, with the help of our excellent industry partners.

Madam Speaker, I will also add that the Motion brought by the Member refers to additional legislative drafting resources.

Madam Speaker, I have stood in this House previously and said that there has been, at times, a frustration with a lack of drafting resources. Nevertheless, we have achieved a lot and I thank the Honourable Attorney General's drafting department for the excellent work that they do. But let me say the good news is that we now have two additional draftspersons who have now committed, have received offers and accepted and committed to come. One I understand is going to come in about two weeks, around May 11<sup>th</sup>, and the other, I think, is about to advise their start date or perhaps already has. I do not have the information in respect to that. But certainly, that represents another significant commitment of this Government to ensuring that we have the resources in place to continue to draft appropriate financial services legislation, either the new bespoke stuff like the Limited Liability Bill which I have said, I think, on passage, I know is very much anticipated and I am sure will turn out to be one of those very, very significant end products that we look back on and say it was an excellent thing to have done. And there are others that we have accomplished over the last three years that are very significant. And I think, Madam Speaker, last year we must have dealt with about 25 different bills alone.

Madam Speaker, even though we have done a lot, and I thank the Honourable Attorney General's Department for working diligently to add the additional

resources, these two additional draftspersons will very significantly add to the resources. As I said, this is yet another demonstration of this Government's commitment to the financial services industry.

Madam Speaker, I have no idea how long I have been speaking to this, but I am being asked because it is late in the day to retire from contributing further. But I am certainly happy to have said and been able to address the things that we have been addressing, outlining what we have been addressing through government, Government's actions, Government's collaboration with industry, Madam Speaker.

So, in relation to the Motion, even though much of it we are certainly already doing, I do not think, Madam Speaker, it would be in any way proper for us to reject the Motion.

Madam Speaker, he can take it . . . the Member can take it as a win and I am sure it will be confirmed shortly. But certainly, Madam Speaker, thank you very much. I thank Members for listening. And clearly at times there is clear support for the position that we take.

Thank you very much, Madam Speaker.

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

Does any other Member wish to speak?

Last call—does any other Member wish to speak?

If not, I will call on the Mover to exercise his right of reply if he deems it so necessary.

**Mr. Winston C. Connolly, Jr.:** Thank you, Madam Speaker, I shall be brief.

I would like to thank the Third Elected Member [for Bodden Town] and the Minister for Financial Services for accepting the content of the Motion, also for his assurances that some of the gaps identified will be worked on and be continued to be worked on because I must give credit where credit is due. The Government is doing its fair share. The civil servants under the Ministry that he is in charge of, I know, are very busy. Counsellor McTaggart is busy.

With that being said, Madam Speaker, it shows that both sides of this House can add value in terms of what the product from Cayman Inc. is supposed to be. We need that plan, Madam Speaker, agreed with industry and communicated with potential targets, informed by dialogue, published so that everyone can see what it is Cayman is offering to them and what we expect of them. We also need to double that with an education plan for our people as to the direction of where the country is going and get their buy-in. Because at this juncture in this House we are all committed to doing what is best for them so they need to also understand what it means and how they can participate in that, explain the benefits to them and their children, ensure that the opportunities are

real and not just something on paper, and enforce them.

Madam Speaker, we need to come up with a targeted list of who we want here and a strategy to get and keep them. Funding a development agency or having professionals paid on commission is one way that this can happen; it is one way that our competitors do it, such as Guernsey and Jersey.

Madam Speaker, if it is transparent and easily found, we will be competing with the likes of the jurisdiction of Singapore where information like this is readily available and people can actually pre-clear themselves before they even get to that island.

Madam Speaker, we also need to telegraph to the world some of the things that the Minister and Third Elected Member for Bodden Town espoused in a manner where everyone just knows it and it comes off their tongues. We need to get a bit better at selling ourselves.

Madam Speaker, I was delighted to hear of some of the things that were going on in the background and I think that it would be good if regular citizens—everyday citizens—understood that in layman's terms, what it means for them, how they could access some of these roles that would be coming on line. Cayman has to be known as welcoming, a place where you do it by the book, but you do it with as little red tape as possible.

And before I close, Madam Speaker, I am delighted to hear that the legislative drafters will be coming and I just hope that the Government commits to knowledge transfer and succession planning so that young Caymanian talent can get those skills and at some point in time we can start creating our own legislative drafters.

I thank the Government for its support on this Motion and I am happy that we can show this country that we can all work together and not oppose for opposition's sake.

Thank you, Madam Speaker.

*[Applause]*

**The Speaker:** The question is: BE IT RESOLVED THAT the Government considers a critical review of the business environment, particularly in the reinsurance and hedge fund management sector;

AND BE IT NOW FURTHER RESOLVED THAT the Government in addition to considering relevant and appropriate incentives, should consider investing sufficiently in the staffing and offerings of the Cayman Islands Monetary Authority (CIMA), and the infrastructure for sustainable, appropriate and measured development on these Islands which benefits the citizens of these Islands;

AND BE IT NOW FURTHER RESOLVED THAT Government should also encourage the development and offering of innovative products and services within these two sectors, seek to maintain com-

pliance with high international standards of financial regulation, anti-money laundering and tax cooperation and seek to obtain strategic accreditation status (such as those recognised by the US National Association of Insurance Commissioners (NAIC)) in order to achieve the planned growth of these two sectors;

AND BE IT NOW THEREFORE FURTHER RESOLVED THAT the Government considers providing a dedicated legislative drafting resource to help update the existing and relevant financial services laws to accommodate these key financial services sectors.

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

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 22/2015-2016 passed.**

**The Speaker:** I recognise the Honourable Premier.

**Mr. V. Arden McLean:** Oh, you're eager to jump up now. You think I wasn't a catch ya.

*[Inaudible interjection and laughter]*

**Mr. V. Arden McLean:** You know I was planning.

## ADJOURNMENT

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

Madam Speaker, I move the adjournment of this Honourable House until 10 am tomorrow.

**The Speaker:** The question is that this honourable House be now adjourned until 10 am tomorrow.

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

**Ayes and one audible No.**

*[Laughter]*

**The Speaker:** I believe the Ayes have it.

The House now stands adjourned until 10 am tomorrow.

**At 6:26 pm the House stood adjourned until 10:00 am, Friday, 29 April 2016.**