



**CAYMAN ISLANDS  
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT  
ELECTRONIC VERSION**

**SPECIAL MEETING  
2015/2016 SESSION**

**13 April 2016**

*First Sitting*

*(Pages 1-6)*

**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 Tara A Rivers, JP, MLA Minister of Education, Employment and Gender Affairs

**EX OFFICIO MEMBERS OF THE CABINET**

Hon Franz I Manderson, Cert. Hon. JP *Deputy Governor*, ex officio Member responsible for the Civil Service

Hon Samuel Bulgin, QC, JP Attorney General, ex officio Member responsible for Legal Affairs

**ELECTED MEMBERS**

**OPPOSITION MEMBERS**

Hon. W. McKeeva Bush, OBE, JP, MLA *Leader of the Opposition*, First Elected Member for West Bay

Mr Bernie A Bush, MLA *Deputy Leader of the Opposition*, Third Elected Member for West Bay

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

**INDEPENDENT MEMBERS**

Mr Anthony S Eden, OBE, MLA *Deputy Speaker*, First Elected Member for Bodden Town

Mr Winston C Connolly, Jr, MLA Fifth Elected Member for George Town

Mr Alva H Suckoo, MLA Fourth Elected Member for Bodden Town

Mr D Ezzard Miller, MLA Elected Member for North Side

Mr V Arden McLean, JP, MLA Elected Member for East End

**ABSENT**

Hon Alden McLaughlin, MBE, JP, MLA *Premier*, Minister of Home Affairs, Health and Culture

Hon Moses I Kirkconnell, JP, MLA *Deputy Premier*, Minister of District Administration, Tourism and Transport

Hon D Kurt Tibbetts, OBE, JP, MLA Minister of Planning, Lands, Agriculture, Housing and Infrastructure

Hon G Wayne Panton, JP, MLA Financial Services, Commerce and Environment

Hon Osbourne V Bodden, JP, MLA Minister of Community Affairs, Youth and Sports

Hon Marco S Archer, JP, MLA Minister of Finance and Economic Development

Mr Roy McTaggart, MLA Second Elected Member for George Town

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

**OFFICIAL HANSARD REPORT  
SPECIAL MEETING  
2015/2016 SESSION  
WEDNESDAY  
13 APRIL 2016  
10:02 AM  
First Sitting**

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

**The Speaker:** Good morning. I will call on my Deputy Speaker to grace us with prayers this morning.

**PRAYERS**

**Hon. Anthony S. Eden, Deputy Speaker:** Thank you, Madam Speaker. Let us pray:

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

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Premier, the Speaker of the Legislative Assembly, Ministers of the Cabinet, Ex-officio Members, and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

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

And as King David said, "Pray for the peace in Jerusalem.

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

**The Speaker:** Please be seated.

The House is now in session.

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

**The Speaker:** I am not in possession of any apologies this morning, as required under Standing Order 6 of our Standing Orders.

**CONDOLENCES**

I would also like to express the condolences to the Honourable Leader of the Opposition and his family on the passing of his mother, Ms. Faith; condolences also to the Honourable Mr. James Ryan on the passing of his mother; condolences to a long-serving civil servant, Mrs. Georgene Lazzari on the passing of her husband; a current long-serving civil servant, Mrs. Mary Rodrigues on the passing of her father; and an outstanding businessman, Mr. Kent Rankine, condolences to his immediate family and all others who may be mourning at this critical stage in Cayman's history.

I acknowledge the Honourable Minister responsible for Education.

**Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs:** Madam Speaker, thank you very much. I also want to echo my condolences to all of the family members of the persons you have identified in your opening remarks. But in particular, I want to acknowledge and express condolences to the Leader of the Opposition on the passing of his mom, Ms. Faith Ebanks, and to all of the family, in particular, to his brother Ray, sisters, Clara Fay, Elizabeth, Karen and Dana, as well as all of their immediate families and extended families as well. It's interesting, Madam Speaker, because I am offering condolences to my own family in this regard, as Ms. Faith was married to my grand uncle up until his passing. So, it is certainly with deep condolences and sympathy that I do offer on behalf of myself and my family and, of course, the constituents of West Bay offer these condolences at this time.

**An Hon. Member:** Hear, hear.

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

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

I too would like to echo condolences to all of the families that you read out on the passing of their loved ones. And like the Minister of Education, I want to particularly express my condolences to the Leader of the Opposition on the passing of his mother.

I did not know his mother as well as he knew mine, because he was somewhat of a very good friend to my mother, contrary to what people may believe. I once told my mother she couldn't pick my friends, therefore, I was not going to pick her friends for her. And he had a very close relationship with my mother, and on the passing of my mother he was one of the first people that called me that morning.

Madam Speaker, I spoke to the Leader of the Opposition and I said this morning on the radio that he reminded me of how we like to say that cliché that a mother's love is never ending. And we must travel this road before we understand what it's like. Madam Speaker, I know the Leader of the Opposition had a special bond and love for his mother and to see him here this morning is carrying out that loving bond and he must be congratulated in his mourning for his beloved mother. He's here with us, and I congratulate him and welcome him and I know she is watching over him for him to get his job done on behalf of the people of this country.

**The Speaker:** Madam Clerk.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

**Private Member's Motion No. 19/2015-2016**  
**Enquiry into the Search and Rescue Operations**  
**on Sunday 6th March, 2016**

**The Speaker:** I recognise the Honourable Minister of Education.

### HOUSE QUORUM

*[Standing Order 13(2)]*

**Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs:** Madam Speaker, I was hoping that this would not have to happen, but I rise pursuant to the Constitution, section 74, just to draw to the attention that I would like to ask for time for Members to be able to attend to form a quorum, because it does not seem that we have a quorum at this time to proceed with the business of the House.

**The Speaker:** Honourable Minister, are you asking for time by way of suspension to call your colleagues? Or are you asking for time by way of the House not being quorate?

**Hon. Tara A. Rivers:** I'm asking pursuant to section 74, the House not being quorate at this time.

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

## POINT OF PROCEDURE

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

**The Speaker:** Is it a procedural point?

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

**The Speaker:** Please proceed.

**Mr. V. Arden McLean:** Yes, on the Minister's intervention there.

Madam Speaker, the Minister is asking under section 74 of the Constitution. Is it fair and reasonable at this stage for her to be asking for a quorum when the meeting has only just begun, or is it when the meeting is proceeding that that section of the Constitution is valid and can be used?

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

That's why I asked the question, whether she was asking for time or whether it was bringing to my attention the quorate.

What I am going to do is ask the Clerk to continue reading what she said so that we can get on to item 2, and at that time I will allow the Member to make her intervention at that stage.

Madam Clerk.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

**Private Member's Motion No. 19/2015-2016**  
**Enquiry into the Search and Rescue Operations**  
**on Sunday 6th March, 2016**

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

**Hon. Tara A. Rivers:** Thank you, Madam Speaker.

At this point I, again, would like to say that I believe that these motions require that we have sufficient numbers, especially as I am the lone person on the side of the Government bench. So I am asking that we don't actually proceed at this stage until we have the quorate that is necessary pursuant to section 74.

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

**Mr. V. Arden McLean:** Madam Speaker, can the Minister explain what she means by “not proceeding at this time”? Is she bringing it to your attention that the Members . . . there is no quorum, or is she asking for a suspension that she anticipates they will be getting here?

**The Speaker:** Honourable Minister of Education, are you asking under 8(2)—and I’ll give you some time to look at 8(2) of the Standing Orders—in bringing it to my attention that there is not a quorum? Because there is a specific procedure I will have to follow if that’s your request. If you’re asking for time for the Members to come, that’s also a legitimate request that you can make and there is another procedure that I would have to follow. Just take your time. It’s Standing Order 8(2) and also Standing Order 13. [Standing Order] 8(2) deals with the Special Meeting and Members being summoned; and [SO] 13 deals with the quorum as read together with the Constitution. Take your time.

*[Pause]*

**The Speaker:** Honourable Minister of Education, the Chair gives you the indulgence to get the advice of the principal legal advisor to the Parliament.

*[Inaudible interjection]*

**The Speaker:** She’s concluding.

**Hon. Tara A. Rivers:** Madam Speaker, it is in conjunction with section 13.

**The Speaker:** Standing Order 13?

**Hon. Tara A. Rivers:** Sorry. Standing Order 13.

**The Speaker:** Thank you Honourable . . . just for the benefit of the listening public and obviously others who may not have availed themselves to the opportunity as to context of Standing Order 13, the Chair will proceed to now read it:

**“13(1) The quorum of the House and of a Committee of the whole House shall consist of eight Members . . .”** (Obviously that’s 10 because of the 2009 Constitution) **“. . . in addition to the person presiding.”** (Who is the Speaker.)

**“13(2) If objection is taken by any Member that a quorum is not present the Presiding Officer shall direct that Members be summoned, the Member taking objection having to remain within the Chamber and if, after five minutes, the Presiding Officer is satisfied that a quorum is not present he shall adjourn the House without question put.”**

The Member has had a valid point in that there are nine persons present. I will now call upon my Serjeant to approach my desk.

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

**The Speaker:** One minute, Member, please.

Please make a note from the parliamentary register of Members who are present, those that are not present, and summon those who are not present to this Chamber. The five minutes will not commence until the conclusion of the intervention of the Member for East End.

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

**The Speaker:** Honourable Leader.

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

Madam Speaker, you are directing the Serjeant to summon Members. Am I correct?

**The Speaker:** That’s correct.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Now, that is a formal procedure, and you are taking that formal procedure. Members shall attend when the Speaker summons them. And there is a process for that afterwards as well. And I hope, Madam Speaker, that you will . . . I don’t need to tell you.

**The Speaker:** Honourable Leader of the Opposition, I am grateful for your attempt to guide the Chair, but please do not anticipate. Have the confidence all Members that when that time comes, I will allow Members to make interjections if they feel the Chair is not following procedure.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, I would never attempt to guide you. That’s not at this point.

I am not anticipating, but I do require an indication from the presiding officer that if Members do not follow the Speaker’s summons, that there is a process, a parliamentary process, and that is what we are taking through to the end, because one leads to the next.

**The Speaker:** That is a correct assumption. There is a parliamentary process and I can assure all and sundry that this Speaker is not a perfect Speaker, but I can give you my assurances that I follow the law to the best of my interpretation and I have no intention of so deviating here today.

Are there any other interventions?  
Member for East End.

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

In that the Minister has brought to your attention a particular matter and under a particular Stand-

ing Order, and in particular, Standing Order 13 says that this Standing Order is valid at this time. Is it not?

**The Speaker:** Could you repeat that please?

**Mr. V. Arden McLean:** Madam Speaker, may I word it in a different way, the question? And I am merely asking the question at this stage of the Chair for ruling.

Are these Legislative Assembly Standing Orders (2016 Revision) *[sic]* . . . 2006, sorry, Madam Speaker, the Standing Orders under which this House conducts its business?

**The Speaker:** With the indulgence of the House, I will call upon the Honourable Attorney General as the legal advisor to provide the advice to that response.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Legal advisor to the House or to the Government?

**The Attorney General, Hon. Samuel W. Bulgin:** In response to what, Madam Speaker? May I just inquire?

**The Speaker:** To the interpretation . . . Member for East End, please repeat so there won't be a risk of me misinterpreting what your intent is.

**Mr. V. Arden McLean:** Madam Speaker, for the benefit of the Right Honourable Attorney General, my question is: Does this House operate its business in accordance with the Legislative Assembly Standing Orders (2006 Revision)?

**The Speaker:** Honourable Attorney General.

**The Attorney General, Hon. Samuel W. Bulgin:** Thank you. Yes. Madam Speaker, the answer is yes, as read with the 2009 Constitution.

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

**Mr. V. Arden McLean:** Madam Speaker, maybe the Attorney General can explain to us where the Constitution says that.

**The Speaker:** Honourable Attorney General?

**The Attorney General, Hon. Samuel W. Bulgin:** Madam Speaker, is this a debate, because I really don't—

*[Inaudible interjection]*

**The Attorney General, Hon. Samuel W. Bulgin:** Just a minute, just a minute.

I don't think it is appropriate for me to be standing up giving advice to without the benefit of a discussion on the subject.

**The Speaker:** Do you wish to have a recess so that you can provide it to me?

**The Attorney General, Hon. Samuel W. Bulgin:** Yes.

**The Speaker:** The reason why I have not gone so far as to say it's a debate, because obviously at this point, is the springboard for me allowing the request of the Honourable Minister of Education. If it's 8, then it is quorate; if it's 10, then it's not quorate. So that's the reason I have allowed the free exchange. And in order to expedite the proceeding I was asking, there was no attempt to put you on the spot. If you require some time, if you could just give an indication how much time you need, I'm more prepared to suspend so that we can get that before we go to the next stages.

**The Attorney General, Hon. Samuel W. Bulgin:** Well yes, but, it was just a series of questions, Madam Speaker, and I am being asked to answer on the spot, and clearly whatever is said is on record, and I would prefer to be careful about the answer that I provide.

Section 74 provides the quorum of the House. The Constitution says so. The current Standing Orders says 8, the Constitution says "majority." Clearly, over the last couple of . . . well, since 2009, we have been operating that a quorum is a majority. So, I don't see why any exception should be made. It has to be that we have taken it—

*[Inaudible interjection]*

**The Speaker:** Thank you, Honourable Attorney General.

Serjeant, it is now 18 minutes past 10:00. According to Standing Orders, I have five minutes in which to wait for you to summon the Members who are not present in the Chamber. The time begins now.

**Mr. V. Arden McLean:** Madam Speaker, if I may direct the Serjeant . . . explain to the Serjeant the Premier is on the premises.

**The Speaker:** Honourable Member, please do not speak until the Chair acknowledges you.

Member for East End.

**Mr. V. Arden McLean:** I do apologise, Madam Speaker.

**The Speaker:** Thank you, very much.

**Mr. V. Arden McLean:** That was not . . . it was not being done disrespectfully, Madam Speaker, to the Chair, but I do know that the Premier is on—

**The Speaker:** Member for East End, we are in a five minutes summons.

I would ask all Members to please remain in the Chamber.

*[Pause while Serjeant-at-Arms summoned absent Members to attend the Legislative Assembly]*

*[Ongoing crosstalk]*

**The Speaker:** Order!

*[Ongoing crosstalk]*

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

*[Pause]*

**The Speaker:** The five minutes have now elapsed. No Member has acquiesced to the summons of this Honourable Chair. By virtue of Standing Order 13(2), it says, “. . . if, after five minutes, the Presiding Officer is satisfied that a quorum is not present he shall adjourn the House without question . . .”

In order to complete my satisfaction I will call the names, and Members if you are present, answer, if you are not present, then I don't expect an answer.

Honourable Clerk, please call the names of the Members.

**The Clerk:** *[Taking roll call]*

**The Premier, Hon. Alden McLaughlin:** [No audible response]

**Hon. Moses I. Kirkconnell:** [No audible response]

**Hon. D. Kurt Tibbetts:** [No audible response]

**Hon. Osbourne V. Boddan:** [No audible response]

**Hon. G. Wayne Panton:** [No audible response]

**Hon. Marco S. Archer:** [No audible response]

**Hon. Tara A. Rivers:** Present.

**Mr. Roy M. McTaggart:** [No audible response]

**Mr. Joseph X. Hew:** [No audible response]

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

**Mr. Bernie A. Bush:** Present.

**Capt. A. Eugene Ebanks:** Present.

**Mr. Alva H. Suckoo, Jr.:** Present.

**Mr. Winston C. Connolly, Jr.:** Present.

**Mr. D. Ezzard Miller:** Present.

**Mr. V. Arden McLean:** Present.

**Hon. Anthony S. Eden:** Present.

**The Speaker:** According to the Chair's calculation there are nine duly elected Members present, eight absent. We are short of a quorum by one, hence the chair declares that the House is not quorate, and in accordance with [Standing Order] 13(2), I have to adjourn. The Standing Order is silent as to how long I will adjourn to. The Chair will therefore adjourn this honourable House until two—

**Hon. W. McKeeva Bush, Leader of the Opposition:** Before you get to that point, Madam Speaker, under Standing Order 2, I raised a point of procedure and privilege earlier in regard to—

**The Speaker:** Honourable Member, please allow the Chair to just conclude this, and then you can decide whether you still need to do that and the Chair will recognise you.

This honourable House now stands adjourned until 2:00 pm today, when another meeting will reconvene *[sic]*. That gives Members a sufficient time to respond to the summons of the Chair, and I would ask all Members to please become completely cognisant of Standing Order 6.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, I would agree with you if you intend to address that matter of Members not following the Speaker's summons, if you intend to do that at 2:00. If not, then, I understand what you just said. I can talk to you in your office, Madam Speaker.

**The Speaker:** Let me just . . . Member for East End?

**Mr. V. Arden McLean:** Madam Speaker, I wanted to do some intervention as well. But since it's at 2:00 when everyone has been given a fair and equal opportunity to come here where their job is, at that time, if they are not over there, then the fireworks shall begin, the intervention shall begin.

**The Speaker:** Because this is a complete adjournment it would not be, as in ordinary cases where when a quorum is brought to the Speaker's attention it is anticipated that Members are within the precinct of this Parliament and I would take my normal departure to the left through the door and the Mace is left in the House, because I have been reliably informed by my Serjeant, that no other Member is within the precinct of the parliament. I'll have no choice but to exit to my right and ask the Serjeant to remove the Mace from

the House to conclude the proceedings of this morning.

**At 10.32 am the House stood adjourned, pursuant to Standing Order 13(1), until 2:00 pm, 13 April 2016.**