

OFFICIAL HANSARD REPORT
STATE OPENING AND BUDGET MEETING
2011/12 SESSION
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3.20 PM
Tenth Sitting

The Speaker: I call on the First Elected Member for George Town to say Prayers.

PRAYERS

Mr. D. Kurt Tibbetts, First Elected Member for George Town: Let us pray.

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

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

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

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

The Speaker: Proceedings are resumed. Please be seated.

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

The Speaker: I have no notice of messages or announcements.

**PRESENTATION OF PAPERS
AND OF REPORTS**

**Tax Information Authority (Tax Information
Agreements) Order, 2011**

The Speaker: Honourable Premier.

The Premier, Hon. W. McKeeva Bush: Madam Speaker, if you could just give us a minute please.

[pause]

The Premier, Hon. W. McKeeva Bush: Madam Speaker, I beg to lay on the Table of this honourable House the Tax Information Authority Law (2009 Revision); The Tax Information Authority (Tax Information Agreements) Order, 2011.

The Speaker: So ordered.

Does the Honourable Premier wish to speak thereto?

The Premier, Hon. W. McKeeva Bush: No, Madam Speaker, there is a motion for later.

The Speaker: Thank you.

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

The Speaker: I have notice of statements by the Honourable Premier.

Special Economic Zones Bill, 2011

The Premier, Hon. W. McKeeva Bush: Madam Speaker, thank you very much.

I rise to make a statement in this honourable House in respect of the Special Economic Zones Bill, 2011. And to lay on the Table of this honourable House, a Bill for a Law to provide for the establishment and operation of special economic zones in respect of certain types of businesses; and to provide for incidental and connected purposes.

I will [table] this as soon as the Serjeant can lay it on the Table of the House.

Thank you.

The Speaker: Thank you.

The Premier, Hon. W. McKeeva Bush: Madam Speaker, a Definitive Agreement with Cayman Enterprise City Ltd. was approved by Cabinet and signed on the 13th July 2011. Part of the Government's obligations under this agreement is to pass legislation to allow for special economic zones in general, and to provide specific incentives to Cayman Enterprise City Ltd.

1. On 6th September 2011, Cabinet further advised that approval should be given for The Special Economic Zones Bill, 2011, and, for its tabling in the Legislative Assembly and for other necessary amendments to ensure that the Government's obligations under the Definitive Agreement are met, including amendments to: The Immigration Law; The Companies Law; The Stamp Duty Law; and The Registered Lands Law.

While I will not go into specific details about The Special Economic Zones Bill, 2011, at this time, I will briefly highlight that this Bill focuses on 3 main areas:

1. Establishment, functions and powers of the Special Economic Zone Authority;
2. Designation of a Special Economic Zone and its Developer; and
3. Issuing Zone Trade Certificates.

This is, Madam Speaker, an exciting and important project for the future of the Cayman Islands and speaks to the advent of what is potentially a new pillar for our economy to go along with Financial Services and Tourism.

We are harnessing our economy and indeed the future opportunities of our people to the technologies and industries of the future. I have therefore, Madam Speaker, [tabled] the Special Economic Zones Bill, 2011, on the Table of this honourable House and declare the Government's intention to commence formal debate on the Bill after the passage of 21 days.

With that, Madam Speaker, I commend this important Bill to all honourable Members for approval towards the end of September 2011, when it will be placed on the Order Paper of the Legislative Assembly, for debate and approval. And in the meantime, Madam Speaker, I encourage Members and the general public alike, to take the Bill, peruse it and offer any amendments thereto.

The Speaker: Thank you, Honourable Premier. There is another statement?

Review of 1999 White paper

The Premier, Hon. W. McKeeva Bush: Madam Speaker, I want to take this opportunity to briefly address this honourable House on a matter that is of great importance to our country, and to the Overseas Territories as a whole. I also welcome this opportunity to have this information placed in the public domain.

At the Overseas Territories Consultative Council (OTCC) in November, last year, the United Kingdom advised that they were in the process of reviewing the relationship with the Overseas Territories, and framing a new strategy to guide this relationship in the future.

Madam Speaker, the last full scale review of the relationship between the United Kingdom and the Overseas Territories resulted in the publication of the 1999 White Paper: Partnership for Progress and Prosperity. Since its publication, Madam Speaker, many advancements have been made, including the modernisation of some of the Overseas Territories Constitutions, in our case including a Bill of Rights, establishment of institutions promoting good governance, and the granting of access to full British citizenship.

However, Madam Speaker, not all of the aspirations of the 1999 White Paper have been achieved. In the area of 'peace and order' we have unfortunately experienced a rise in the level of crime throughout the Islands. In the area of 'good government' one shortcoming has been that audited financial records have not been delivered for the past several years; in fact, from 2005–2009. My Government has now made a huge step forward to correct this anomaly.

Madam Speaker, there is no desire on the part of the Government or the UK to change the fundamental structure of our relationship, but this does not rule out constitutional evolution or reform where it may be necessary. In a letter from Mr. Henry Bellingham, the Minister for the Overseas Territories, the following three strands were proposed in order to take the strategy forward:

1. Strengthening the engagement and interaction between the Territories and the United Kingdom by not only the sharing of expertise, but also by pursuing partnerships between local governments, the private sector, NGOs and professional bodies in the United Kingdom and their counterparts in the Territories.
2. Collaborating with Territories to strengthen public financial management, economic planning and good governance arrangements where necessary.
3. Improving the quality of support from the United Kingdom. For example, strategic investments in those territories where the needs are greatest.

In preparation for 2011 OTCC (Overseas Territories Consultative Council) the Government is un-

dertaking a review of the 1999 White Paper and the current relationship with the UK, and is inviting views on the proposed strategy, as well as suggestions of other topics that should be addressed. This feedback is necessary as it is the United Kingdom Minister's intention to discuss with each territory the detailed substance of the relationship with the UK and to create opportunities for exchange of views and discussions, offer suggestions/advice and propose alternative strategies that will enhance the relationship.

Cabinet's approval will be sought for the formation of a committee that will spearhead the review process for our country. This committee will consist of one representative from the Chamber of Commerce, one from the Cayman Ministers Association, one from the service clubs, one from the Civil Service Association Management Committee, one from Cayman Finance, representing the financial services sector, and two representatives from the general public as well as two from the Sister Islands.

Given the importance of this exercise, Madam Speaker, Government has committed to appoint a competent secretary to ensure the business of the committee is properly managed and recorded. It is envisioned that the committee will produce an interim report in 60 days from the start of the meetings of the committee, in preparation for a meeting to be held between the FCO Minister and Heads of Government from the Overseas Territories.

Honourable Members are accordingly now advised that this substantial undertaking is to commence and should consider themselves now put on notice to participate in a meaningful way in the process. For clarity, let me emphasise that it is a two-part process; the first must commence immediately, for input into the defining terms that are proposed to guide the evolution of the new strategy.

The second part is geared towards more detailed review and input into the new United Kingdom Overseas Territories agreement. The initial timetable was that new framework was to be agreed by June 2012. However, the UK has now suggested a radical shortening of this timetable, which would call for agreement to be reached by the spring of 2012. I am seriously concerned that this would prejudice the prospects of Territories, including ourselves, to put forward our best position, and accordingly intend to robustly challenge this new timetable.

Madam Speaker, it is important that we move quickly, because, of course, while we will challenge—and I have no doubt, Madam Speaker, that the Honourable Minister, Mr. Bellingham, will converse with us in a positive manner. I do have my concerns about where other people stand in these kinds of matters. And so I am going to talk to the Minister, hopefully in the coming week, on this. But I also will move quickly to establish that committee to put it force so that we can get going.

Madam Speaker, we did not have a lot of say in the 1999 White Paper. It was published and we really did not have much of an input. And so when this come to fore in the Consultative Council in November, we did say to him, *Look, we (the Territories) need to have a say if this is going to be a two-way street.*

On top of that, Madam Speaker, at the regional, our Overseas Territories on this side of the world (the Caribbean) including Bermuda, met in July in the BVI (British Virgin Islands) and we determined that this sort of process was needed. In fact, we were expected to sign a financial reform agreement, which has far reaching prospects for these Islands—some good and some that would put some tougher lines on us. And so we decided that we could not sign that; that must be part and parcel of this operation. So if they want good governance and they want to be open and transparent then all of that must go to the public. And so that is the intention. As I said, I hope to have the committee formulated quickly, and within the next two weeks and at least by the end of this month for that committee to be in operation.

The Speaker: Thank you, Honourable Premier.

OTHER BUSINESS

MOTIONS

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 1–2011/12— Amendment to the Labour Law (2007 Revision)— National Minimum Basic Wage

The Speaker: Member for North Side.

Mr. D. Ezzard Miller, Elected Member for North Side: Madam Speaker, in accordance with the provisions of Standing Order I beg to move Private Member's Motion No. 1–2011/12—Amendment to the Labour Law (2007 Revision) standing in my name. And the Motion reads:

WHEREAS there are many social and economic reasons why the Cayman Islands Government need to prescribe a single National Minimum Basic Wage;

BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly amend the Labour Law (2007) Revised as follows:-

- (1) That the principal Law is amended in section 20 by deleting section 20(1), (2) and (3) and substituting a new section 20(1), (2), (3) and (4), which reads as follows –**

20. (1) **The national minimum basic wage shall be five Cayman Islands dollars per hour.**
- (2) **The national minimum basic wage shall be reviewed at least once in every five years.**
- (3) **The review of the national minimum basic wage shall be in accordance with section 21 (of the above referenced Labour Law).**
- (4) **Any National Minimum Basic Wage prescribed under subsection (1) shall not apply to the payment of wages to juveniles required by any law to attend school; and**

- (2) **The principal law is amended in section 21(1), by deleting the words “recommendations as to the minimum rates of wages which should be payable” after the word “make” and substituting the words “recommendation as to any increase in the national minimum basic wage.”**

The Speaker: Is there a seconder?

First Elected Member for Cayman Brac and Little Cayman.

Mr. Moses I. Kirkconnell, First Elected Member for Cayman Brac and Little Cayman: Madam Speaker, I beg to second that Motion.

The Speaker: Thank you.

[The Motion has been duly moved and seconded.] Does the mover wish to speak thereto?

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

Madam Speaker, the need, desire, and Caymanian worker demand for a national minimum wage has existed in this country for a long, long time.

In fact, Madam Speaker, our forefathers in this honoured position we now hold today, passed a minimum wage law in 1963. And the minimum wage that they established in that law was six shillings an hour for an eight-hour day. Unfortunately, Madam Speaker, part of the trade-off that the current Premier and I had to make in the 80s when we were advocating for proper labour legislation in this country to provide certain basic rights and privileges for employees, was that that law must disappear from the books.

The movers and shakers in the society at that time—mostly the mercantile people—drafted a very complicated thing in the existing Labour Law knowing full well that the likelihood of ever being able to prescribe a basic minimum wage again was very low.

And just for the benefit of the listening public, Madam Speaker, I would like to quote that section of the [Labour Law \(2007 Revision\)](#). And it is contained in [section] 20, which says: “**Subject to subsection (2), the Governor may, by Order, prescribe a National Minimum Basic Wage.**

“(2) An Order under subsection (1) may only be made, varied, amended or revoked after consideration of recommendations made to the Minister by a Minimum Wage Advisory Committee established under section 21.

“(3) Any National Minimum Wage prescribed under subsection (1) shall not apply to the payment of wages to juveniles required by any law to attend school.”

[Section] 21 establishes this Minimum Wage Committee. And it says: “(1) **The Governor may establish a Minimum Wage Advisory Committee to investigate and enquire into all matters related to the appropriate level of a National Minimum Basic Wage, and to make recommendations as to the minimum rates of wages which should be payable.**

“(2) **The Governor may make rules governing the procedure of any such Committee, but, subject to any such rules and to subsections (3) to (9), the Committee shall have power to regulate its own proceedings.**

“(3) **The Committee shall consist of not less than eight members who shall be appointed by the Governor, and who shall comprise equal numbers of employers and employees, together with such other representatives of such other interests as he may see fit.**

“(4) **The Governor shall designate one member of the Committee as Chairman thereof.**

“(5) **The quorum of the Committee shall be five members, including the Chairman.**

“(6) **All questions arising at any meeting of the Committee shall be determined by a majority of votes of all members, including the Chairman, who are present, and subject to sub-section (5), no such determination of the Committee shall be invalid by reason of any vacancy or absence among the members.**

“(7) **The Committee may, at any time it deems it expedient to do so, call in the aid of one or more assessors, specially qualified in the opinion of the Committee in the matter under investigation.**

“(8) **The Committee shall have power to take evidence from witnesses, to require the production of relevant documents and to take evidence on oath.**

“(9) **The Committee shall make such interim reports of its investigations and recommendations as the Minister may from time to time require, and shall, as soon as possible after the conclusion of its investigations and deliberations, make a final**

report, including recommendations, to the Minister.”

[Section] 22 says: “(1) Where a National Minimum Basic Wage has been fixed under section 20 it shall be an offence for an employer to employ or to pay any employee at a basic wage less than the minimum wage prescribed by the Order.”

“(2) Subsection (1) shall not apply to the payment of wages to juveniles to whom section 20(3) applies.

“(3) Where an employer has been convicted of an offence under subsection (1) then, if notice of an intention so to do had been served upon him with the summons or warrant, evidence may be given before sentence of any failure on the part of the employer to pay wages at the minimum rate to the employee concerned during the two years immediately preceding the date on which the information was laid and, on proof or admission of the failure, the Court upon sentencing the employer may order him to pay to the employee, in addition to any fine or other penalty, such sum as in the opinion of the Court represents the difference between the amount which should have been paid during those years and that which was actually paid, plus interest at the rate of ten per cent per annum from the date any wage was due until it is paid.

“(4) An order made under subsection (3) may be enforced in the same manner as if it were a fine.

“(5) In calculating the wage paid to an employee for the purposes of the application of this section, gratuities shall be disregarded.”

Madam Speaker, this has been on the books from 9th December 1987 and it has never been brought into place. Part of the problem that keeps cropping up—whether it is devil’s inc. or whether it was deliberate—is the fact that it talks in one section of having a National Minimum Basic Wage prescribed, and then in another section it talks about making recommendations as to the minimum rates of wages which should be payable.

Those employers in this country who have never wanted and who are taking, in my view, advantage of many categories in the labour force, particularly that of imported labour, to pay rates that are below Caymanian subsistence level, have used that complication in the Law to prevent a National Minimum Wage from being prescribed by insisting that the Law requires that we have wages for different categories of workers.

Madam Speaker, let me make it clear that I do not subscribe to minimum wages for categories of workers. What I support is what the Law envisaged in the first place—a National Minimum Basic Wage be-

low which it would be an offence in the Law to hire anyone to work for you.

[inaudible interjection]

Mr. D. Ezzard Miller: *[addressing interjector]* Yes, except those that . . . well, the Law exempts the juvenile category completely. So [for] the basic minimum wage, we are not changing the section of the Law. In fact, it is repeated in the Motion “that affects juveniles who would normally be in school.”

So, Madam Speaker, what we are asking for is a National Minimum Basic Wage below which no one can be hired—whether Caymanian or a person on a permit. And, Madam Speaker, unlike the 80s when the Premier and I were advocating this labour legislation, the Chamber of Commerce, which at that time was the biggest opponent to any kind of labour legislation being brought in, the Chamber of Commerce has publicly stated that it now supports a National Minimum Basic Wage, and they agree with the number that I have put in the Motion of \$5 per hour. That is an accepted number that this process could be started with.

Madam Speaker, in the 80s the current Premier and I were involved in a lot of topsy-turvy introduction of social legislation in this Parliament. And while he takes credit for most of it today, that is okay by me because he did spend more time in Cabinet trying to get some of the legislation done than I did. But I think in the four years that we were on a Backbench, we actually moved together; if he moved a motion I normally seconded it. If I moved a motion, he normally seconded it. And I think the record still stands of over 100 motions for that four year period.

But I think things have changed in this society and part of what is happening now, in particular with the importation of labour, is that we are underpricing labour and driving Caymanians from areas of employment that could well sustain them, particularly in these hard times, if it was at a National Basic Minimum Wage. Madam Speaker, I find it very difficult to believe that we can bring anybody into this country and expect them to live at any kind of acceptable standard of hygiene and normal life expectation and paying them CI\$2 per hour.

Madam Speaker, I have consulted widely within the community over the past year about the introduction of a National Minimum Basic Wage, and I have found very little resistance to wait at this point. So, Madam Speaker, I would encourage the Government to support this Motion and let us put in place this National Minimum Basic Wage.

Thank you, Madam Speaker.

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

Minister of Labour.

Hon. Rolston M. Anglin, Minister of Education, Training and Employment: Madam Speaker, obviously, this particular Motion is one that the Government has looked at and, certainly, Madam Speaker, the mover of the Motion has stated that in the last (I think he said) year or so, in moving throughout the community he has not found many who do not support the concept of a National Minimum Basic Wage.

He said, in fact, that the organisation that opposed minimum wage . . . in fact, I believe it is fair to say, other aspects of labour reform are now supportive of a National Minimum Basic Wage (in discussions that he has had with them), and, he says, "at this particular rate of CI\$5 per hour." That, Madam Speaker, winds up to be somewhere around (for a standard 8 hour day) \$40 a day, \$200 a week, \$800 per month.

I have heard the Chamber of Commerce make certain comments surrounding minimum wage as well. And in a discussion that I had [they] have stated that they are supportive of the introduction of a minimum wage depending on the rate and how it was implemented.

Now, Madam Speaker, obviously when we look at most modern societies that do have anything which resembles a free market economy, there has been the creation of differing types of protection for workers, including collective bargaining and, indeed, in many instances, the setting of national minimum wages and other sectoral minimum wages. But the more common denominator that one will find is a national minimum wage.

Madam Speaker, also featuring in many countries (as I outlined in a ¹statement that I made to this honourable House several months ago on the whole matter of minimum wage) are certain carve-outs. One of the most common, to which the Member moving the Motion has spoken to, has been around juvenile workers. However, others have also carved out things like tipped or service-based jobs.

Even within that, if you look, for example, to some of the more sophisticated labour markets, like the United States, you will find that even within their exemptions certain states have still put in place an added layer of protection for workers in the exempted categories where they stipulate that as long as the employee in the exempted categories (in particular I am talking now about tipped employees) make an amount greater than the declared national minimum wage, the worker and the employee's relationship as relates to compensation shall remain. But if the tipped employee's take-home wages fall below the declared national minimum wage, then the employer has to make good the difference.

¹ See *Official Hansard Report*, 23 February 2011, page 890

That protection obviously is in there, Madam Speaker, to cover tipped employees, in particular, during slow seasons or during economic downturns when there will be general falloff in business and/or persons' motive and accept . . . well, persons' ability in a lot of instances, to offer tips. And tips at a particular rate would also naturally decline.

So those protections are there to ensure that employees' wages, even in that category in those situations, do not fall below the national basic minimum wage.

Madam Speaker—

[inaudible interjection]

Hon. Rolston M. Anglin: Madam Speaker, the Government, obviously, in considering this Motion, not only has to consider the current condition of our labour market, the current makeup of our labour market, but also the overall general conditions in the overall economy, and whether or not we would have situations that make the overall economy stronger or weaker at this particular time.

Now, Madam Speaker, the whole concept of minimum wage in most scenarios is driven by the concept of what would shock the conscience of a reasonable person and not necessarily what is the poverty line. Madam Speaker, there are those who believe that a minimum wage should match whatever a country's estimated poverty line would be.

For example, if Government felt, or society has accepted that for an ordinary person to survive in a particular country that it would take a wage of a certain amount, that that should be the amount that any minimum wage should be. That, Madam Speaker, is certainly in play in some countries, but in a very small fraction of countries, certainly from what I have seen, that have implemented a minimum wage. The vast majority has gone along the philosophy of the former scenario; that is, the country has set a certain wage that the community feels no one should have to work for a rate below that amount.

Madam Speaker, ultimately, when we look at the proposal before us, one of the key considerations for us as legislators is (1) do we feel as though, given the general state of our economy and our labour market, this is when we should introduce a minimum wage? And, if we do, what should that wage rate be? Is \$5 an hour adequate? Is that the number below which wages should not fall and below which we believe the general conscience of a person would indeed be shocked if persons were being paid below that specific amount?

Madam Speaker, as I looked at this Motion, and as we have thought about it over the last few months, and we looked at the fact that this amount equates out to somewhere around \$800 per month for what you would call straight-time pay, we will see that

that is an amount that the vast majority of Caymanians and their families could not reasonably survive on. We also clearly recognise, Madam Speaker, that in the vast majority of industries in which Caymanians heavily participate the take-home wage rate overall is higher than the amount being proposed in the Motion.

There has been an ever-decreasing number of Caymanians who have worked in certain sectors of the hospitality industry who stated and declared normal wage in some instances is below this amount. However, one of the real unknowns is how their gratuities impact their ultimate take-home pay.

Madam Speaker, the Member for North Side spoke to prior positions in this honourable House. I think it is fair to say that, certainly since I have been here, and before me—he spoke to back in 1987 (I think was the referenced year)—that was much debate around what should be in our Labour Law and, indeed more specifically around this very topic, as to whether or not the country should have established a minimum basic wage that is enshrined in legislation.

The Member has quite rightly pointed out in his research that like many things in Cayman, there were specific policies, taxation and labour policies, that existed in this country decades ago, that many people have either knowingly or unknowingly forgotten about, or did not know existed—things like the minimum wage, things like how we taxed in this country and how government at the time raised its revenue.

I have participated in motions surrounding this particular subject. The first motion I moved as a legislator back in 2000, or after the 2000 General Elections, was for a review of the Labour Law, and a call for a modernised labor framework that was suitable and appropriate for our economy. In fact, Madam Speaker, I have also participated in other Private Members' Motions that dealt more pointedly with the subject of this particular Motion.

So, yes, Madam Speaker, the legislature has dealt with and talked about this issue on numerous occasions.

Madam Speaker, can I just have one second please?

[pause]

Hon. Rolston M. Anglin: So, Madam Speaker, as I was saying, at varying times many legislatures have had to consider and deal with this whole concept, this whole issue of minimum wage and what it should be.

As the Member has quite rightly pointed out, when you look at the current construct of the Labour Law and how you would go about determining a minimum wage, it is, I believe to put it mildly, quite a curious way in which the Law was crafted.

I know, Madam Speaker, that a few months ago when this issue came up in an attempt by the same Member to try and bring an amendment to a bill

(which the Government at the time was not in favour of because it was introducing something that was very different than the bill) other Members of the House expressed their displeasure and wanted something done then. In fact, Madam Speaker, since then other Members, in other debates in this same House, have expressed their dissatisfaction by quoting certain job advertisements contained in the local press, and have called on the Government to do something because they felt as though when they saw, I think the wage rate quoted at the time by the Second Elected Member for Bodden Town, it was some US\$2.50 per hour. And he called on the Government to do something because he felt as though that was an amount that was well below what any ordinary and reasonable person should be satisfied with in a modern Cayman as a wage being paid for a person's labour.

The mover of the Motion has pointed out one factor that is very much in play in our economy, and that is how wages either encourage or discourage, and discouraged in some instances to the point of having little to no Caymanian participation in certain sectors. Obviously, Madam Speaker, one of those could be the security guard business. Two and a half, three decades ago, I had close family members who were involved in that sector. You will find it very difficult to find Caymanians in that sector now. And it is principally driven by the amount that is paid in the sector. In fact, Madam Speaker, wages in the sector today are less than existed two and a half decades ago.

So, Madam Speaker, that is a classic case of demand and supply. We often think of demand and supply to be only surrounding goods and products that you can buy in a supermarket, you can buy in a hardware store, you can buy in a furniture store, but labour is a service. Your labour is a service that you are selling just like any other service or product in the economy. And so when you have a cheap import often well qualified for the job—in some instances, over qualified—you can see just in this one industry what the supply of that cheap import has done to the actual price of the product, the wage rates per hour. And it has driven it down.

All of us as legislators know of other instances in other sectors where this is indeed the case. And so there are many in the community who would agree with the position put forward by the mover, that establishing some sort of baseline would create an environment in which more Caymanians would take part in some of the areas of our economy that they aren't taking part in today. Obviously, Madam Speaker, the higher the rate that Government sets on a minimum wage, the more attractive those areas would become, to able bodied and willing Caymanians.

So, Madam Speaker, the Government has been looking at this and considering a way forward, and we certainly believe that the country needs to have a declared rate below which people should not

be paid, a rate that would indeed shock the conscience of most ordinary and reasonable people. We also believe that we do need to look very closely at the makeup of our economy and how Caymanians participate, not just as employees, but also as employers, to determine whether or not there needs to be any other areas where there should be exemptions and how those would work. The mover has spoken to one which is “juvenile employees.”

The Government also believes, Madam Speaker, that the rate which is being proposed by the mover, has the real potential for driving down wage rates in sectors that Caymanians currently actively participate. Madam Speaker, I have purposely observed the advertisements in the local press, ever since this issue was raised by the Member when he attempted to move the amendment motion. And one of the things that has certainly surprised me, pleasantly I must say, has been the rates that things like helpers on construction sites are being paid.

I certainly thought those rates were lower than they currently are. And so, one of the things in implementing minimum wage is that if you look carefully at experiences of other countries, what government has to be careful about, is to guard against employers who start to see the minimum wage as the baseline and benchmark for their entry-level positions when the day before, you implemented and introduced a minimum wage, that rate was higher. Because, at that point, you really would have hurt potential employees who would have been making more than the minimum wage before.

And, Madam Speaker, that was one of the points that I raised in my statement to the House several months ago on this very topic; that Government, that none of us, should believe that those sorts of things are not real and that they cannot happen and that certainly, Madam Speaker, have not happened in other countries when they have gone about implementing a basic or a national minimum wage.

We, of course, given the fact that in our economy Government has never tracked—because we do not have any form of direct taxation—recorded and had registered people’s wages on a regular basis. Government’s capacity to regulate is very weak. That is something that Government is extremely concerned about—the fact that we do not want to have unintended consequences develop in relation to the whole minimum wage debate.

Madam Speaker, the Member is also proposing that every five years there would be a review of a basic minimum wage. Certainly, when we look at the timing of those reviews we need, again, to be most careful to ensure that any period selected is one that is carefully thought through, and one that you can look at your economy and it should have some relevance or significance. Five years for me . . . I presume that the Member picked it because it is half a decade and

he sees it as some sort of natural period in which wages in the overall general economy should either react and perform and you should see how people’s conditions, the conditions of businesses, the overall economy is five years hence. But, Madam Speaker, unless I can be shown clear documentary evidence that clearly illustrates the logic behind five years, that would be an area which have to be carefully considered in the crafting of any minimum wage regime.

So, Madam Speaker—

Moment of interruption—4.30 pm

The Speaker: Honourable Minister, I need to interrupt you. We need to have a motion to continue after the hour of 4.30 if we are going to do so.

Suspension of Standing Order 10(2)

Hon. Rolston M. Anglin: Madam Speaker, I beg to suspend Standing Order 10(2) in order for the business of the House to continue beyond the hour of interruption of 4.30.

The Speaker: The question is that Standing Order 10(2) be suspended to allow the business of the House to continue after the hour of interruption of 4.30. All those in favour, please say Aye. Those against, No.

Ayes and one audible No.

The Speaker: The Ayes have it.

The Premier, Hon. W. McKeeva Bush: Can we have a division?

The Speaker: Madam Clerk.

The Clerk:

Division No. 3–2011/12

Ayes: 9

Hon. W. McKeeva Bush
Hon. Juliana O’Connor-Connolly
Hon. Rolston M. Anglin
Hon. Mike T. Adam
Hon. J. Mark P. Scotland
Hon. Cline A. Glidden, Jr.
Capt. A. Eugene Ebanks
Mr. Ellio A. Solomon
Mr. Dwayne S. Seymour

Noes: 5

*Mr. D. Kurt Tibbetts
Hon. A. M. McLaughlin, Jr.
Mr. Moses I. Kirkconnell
Mr. Anthony S. Eden
Mr. D. Ezzard Miller

Absent: 1

Mr. V. Arden McLean

***Mr. D. Kurt Tibbetts:** *No! Especially at three o’clock.*

The Speaker: The results of the division, 9 Ayes, 5 Noes and 1 absentee.

Agreed by majority on division: Standing Order 10(2) suspended.

The Speaker: Honourable Minister of Education continuing your debate.

Hon. Rolston M. Anglin: Thank you, Madam Speaker.

Madam Speaker, in wrapping up let me say that this is a serious motion and subject, and the Government is and has been considering it for several months. Obviously, it is something that we have looked at during the campaign and what position we would take. Now obviously, Madam Speaker, one of the things when we first got elected and looked at the state of the general economy and what we had to do in terms of public finances, we, as a Government, did not move immediately. In fact, Madam Speaker, last September we sought to address some of the concerns in the labour market by one of our members bringing a Private Member's Motion that deals with jobs. I think it was entitled "Jobs for Caymanians Only."

Madam Speaker, we have been working internally on that and a bill will be shortly coming to this house. In fact, Madam Speaker, we anticipate having a bill coming in the November Meeting of the House that will propose the capacity to have areas that will be carved out for Caymanians, but also a regime that will be flexible and sensible that can also have the possibility for quotas in areas that the Government feels is necessary as it relates to the labour market.

So that is very, very important, Madam Speaker, because in addition to this, the other thing that we have been looking at and working on, has been how we dovetail minimum wage into the entire mix and into the overall environment of labour.

Madam Speaker, we believe that we must ensure that when we bring a bill to this House as Government, that we will have put it through the necessary and very relevant process of consultation. And indeed, Madam Speaker, ensure that as Government we satisfy ourselves about support from different quarters and indeed, Madam Speaker, what ultimately the rate should be.

Madam Speaker, I can say that as of today and where we are at in our process, the Government feels that when a bill is eventually brought back to this honourable House there will be need for real consideration for the hourly rate, because, Madam Speaker, the hourly rate does not even get a person up to \$1,000 a month. And so, Madam Speaker, the Government intends to ensure that after a process of consultation and bringing back a bill, we will have addressed the concerns and questions that will naturally come, which I hope I have been comprehensive in alerting and flagging to the attention of the House.

And in summary, Madam Speaker, those surround the rate and whether it is adequate, whether it is a rate below which would shock the conscience and will get people closer to what would be the ability to survive in these Islands. Will the rate be robust enough to not cause there to be a suppression of wages in areas of which Caymanians already actively participate? Because, Madam Speaker, I believe the greatest travesty in all of this would be to introduce a minimum wage which lifts wages in sectors in which Caymanians do not currently participate, like the security business, but have a suppressing effect in areas that Caymanians do participate, like construction.

I say to Members, and hope that Members have been tracking and following this very closely over the last few months. Take the opportunity, especially in this Friday's *Compass* to look at the rates, to look at what is already on offer, especially in the construction industry, and think very soberly and clearly about what [effect] any rate that we set could potentially have and how employers might react. Because the fact of the matter is, as employers react, Government (and we all know this) will have very little capacity to be able to regulate, and be able to act as an arbiter as it were for a Caymanian who might be disadvantaged by persons.

Madam Speaker, we also need to look very closely at the review periods and ensure that we are satisfied that those periods are sufficient for the labour market and the overall economy to react and settle down. We know, Madam Speaker, that in many countries the period of review and the reset of minimum wage is substantially longer than the five years being proposed in this particular Motion.

So, Madam Speaker, the Government will accept the Motion. However, we will continue to conduct the work that has already been entrain and started. The Government will ensure that the rate is one that we feel is indeed fair, equitable, and will not do damage to areas in this economy in which Caymanians already participate. We certainly are not convinced that \$5 per hour—which is \$200 per week, \$800 per month—offers the type of protection that the mover believes it is going to offer to Caymanians in this economy.

We must be very careful, Madam Speaker, with everything we do. And we must at all times, remember the nature and makeup of this labour market. We are very, very unique—very unique when you have 50 plus per cent of your labour market being non-nationals. And we have to be very, very clear about how our Caymanians operate in this labour market; where they reside in this labour market in their income scale.

The bottom line is this, Madam Speaker. (I'll end with this.) All of us in this House have been exposed to this. When we have people who come to seek assistance and we mention certain jobs and they

clearly say to us, *Huh, it's cheaper for me to stay home than to go and work for that.*

I thank you, Madam Speaker.

The Speaker: Thank you Minister for Labour.

Does any other Member wish to speak?
[pause] Does any other Member wish to speak?
[pause] Does any other Member wish to speak? If not I will call on the mover of the Motion to—

You all are going to have to start getting up quicker when I call the third time. Thank you.

You may proceed.

Mr. Ellio A. Solomon, Fourth Elected Member for George Town: Thank you, Madam Speaker.

Madam Speaker, to say a few words on the Motion, I do note with utmost clarity that the Minister has said that we will accept the Motion. But, Madam Speaker, I feel compelled at the same time to mention that if we read through the Motion, I have to say, with the greatest of respect, that it almost seems as if the Member almost wanted the Government to reject the Motion.

I say that, Madam Speaker, because when we read through the wording of the Motion it is either someone is missing some very important factors, deliberately or unintentionally. And I believe the Minister was very kind in his language in saying that the Government obviously will consider it, the Government will accept the Motion. And I think in a very comfortable way he said that there were things which were not put into that Motion that he believes should have been, and certain considerations that should have been made.

Madam Speaker, I think the issue of minimum wage has been thrown around in the country for quite some time. I know that the mover of the Motion has talked about it on the talk show. And there are definitely persons out there who are talking about minimum wage and it seems as if a lot of people, in fact, view it as a solution. But I believe, Madam Speaker, that as we continue on and we continue to inform ourselves and the general populace, they are increasingly getting to be more and more understanding of the complexities of the matter. Therefore we end up with what I believe is a more informed and knowledgeable view recognising that it is not a situation that is as simple as “one cap fits all,” and that what works for this one should work for the other, especially when it comes to something as complex as salaries in the sense that somebody is selling their service, their labour, their employ for a specific cost.

Madam Speaker, to drive that home I believe that it is important to give some real life examples. Because in this Parliament, particularly in the economic times that we are in, we continue to talk about the fact of how . . . I think it was just yesterday that the mover of the Motion and the Leader of the Opposition

talked about the hardships that the people are facing. They talked about the taxes that the Government has put on the people of this country, whether it is 25 cents on fuel or otherwise. So, you see you have to look at that, put it into full context and really wonder in respect what is the conversation we are having today.

I believe if you look at it perhaps just through one lens, Madam Speaker, you would walk away saying, *Well this is going to help someone. This is going to just cut and dry “one cap fits all” benefit everyone.* But as we look deeper we see that it is not that simple. And let me raise and echo of some of the concerns.

The Member talked about the fact that he is bringing to the Government, not to consider a minimum wage, not to talk about having the Committee decide, having the financial experts review it and to make a recommendation to the Government (and I will mention again, it is the same group of individuals who has no qualms in jumping up and saying that the Government did not seek proper advice and this didn't have a proper committee, didn't have a board, didn't do consulting, didn't do this review), just almost arbitrarily deciding that the minimum wage of the Cayman Islands should be \$5. This is what I talked about just last night, Madam Speaker; dragging it back to today, putting it into context. How do we make these decisions?

We are policymakers for the country. People are expecting us to come in here and do something beneficial on their behalf and we somehow reach our hands magically up into the sky and pull down \$5. How do we come up with that number? What reviews have we done in terms of businesses to say that \$5 is going to be the magic cap that fits all around about once we put this in, [it's the] silver bullet, panacea, the solutions are here, all the problems have been resolved.

Let's talk about it from the “helper” perspective. I can tell you I have had helpers who have come to me and said that they are concerned if they put the minimum wage on because they are going to lose their job.

[ongoing audio interference]

Mr. Ellio A. Solomon: And I know one. I have a helper. They have other friends and they have expressed that concern, Madam Speaker, and why? Legitimately so, because they are saying that many of us are out here and not necessarily getting that specific salary, and we are concerned that they are working for a single mom, a single parent, or even the family that they have that they are working for, if their salary has to go from the six to seven to that \$1,000 plus a month—because many of those helpers, Madam Speaker, let's be clear, are probably working anywhere between eight, ten, sometimes the minimum of ten

hours, getting in at six or seven in the morning to make sure that the child is taken care of and the parents can go off to work. And that the parents are getting off five or five-thirty and getting home around six and they are doing the last biddings, whatever the tasks are, to head back home. Ten to 12 hours of work!

Now, you multiply the five by ten and that is 50. Five by 12 is 60. And multiply that by the six days a week. Six sixes are 36; \$360 a week and keep multiplying up. And ask yourselves what the ramifications are of that!

But you see, the Member now comes here and talks about, *Well, we are going to increase the cost on the single mom and the single dad, the single parents or whatever household is in this country from six to seven hundred, to \$1,200. And that is just something I pulled out of my hat*, he would probably tell us—because I have not heard anything. I haven't heard any support for how he came up with this number.

So, he is talking pretty much, Madam Speaker, in one sweep when the Member decides at night in the midst of his sleep to pull \$5 out of his head of doubling someone's cost.

He is making his notes; good!

Doubling someone's cost, Madam Speaker, so that the single parent comes in and today their bills are [\$]600 and tomorrow they are [\$]1,200 plus. So the \$5 minimum, as an example in terms of the increase, has potentially doubled the cost on the parents. But I want to ask all of the parents listening, when your cost doubles at home, does that mean that your boss at work is going to give you a pay raise to compensate?

Well, of course! The Member for North Side put the minimum wage on. *Your bills have gone up. Of course, I'm going to compensate you. I am going to increase your pay by the \$400.* It does not work that simple. It doesn't! And again, this is why we, as policymakers, sit and consider what it is that we are doing.

And they can beat me up you know, Madam Speaker. And they can try to make me sound like the animal. Don't care! *Don't care about anyone*, they probably want to say. Madam Speaker, it is about doing the right thing, saying the right thing and let whatever consequences come to me, let them come! Because that is the reality. There are families out there that when we even talk about that—you are doubling their cost—we need to consider it.

So when you bring the Motion there is no consideration insofar as saying, well maybe we want to carve out perhaps the largest employer of the 3,000 plus, or 5,000 (whatever the number is today), so that we can help families who are already struggling to which the individuals prance every time they get an opportunity about how they are being taxed and over

burdened by the economic situation. So, you see, Madam Speaker, that is what I call into question.

Why is it not in the Motion? Is it deliberately left out? Unintentionally? Either way, it is a sad scenario that is not there, because you are talking about increasing the cost. You increase the cost on them and there is nothing about saying, maybe we can have a specific carve out.

So when the Minister talks about the fact that the Government . . . The Member is bringing a motion [on a subject] that he knows the Government is already working and considering, Madam Speaker. Not going to accuse him of being a populist. No! He knows that we are working on it. But, Madam Speaker, irrespective of the circumstances that he may seek to raise today it is a matter that you have to take your time and do things right.

I was raised to believe that you measure twice and cut once. Some things, Madam Speaker, are very, very unforgiving. Water, we sink and swim in it all the time, go fast in a boat and hit the water it does completely different damage to you. And cement, that fall very hard, very unforgiving. And these policies are not something that we sit at home, have a little dream and say, *Bing, I have an idea; \$5 an hour.* No! Careful consideration. And it is a matter of saying who and what, when, where, why, what has to be carved out. These are the considerations that have to be made! That is why I mentioned last night that this is not about creating just a wish list, Madam Speaker; it is about serving the people of this country, inclusive of all of them, which is inclusive of moms and dads who are already struggling and having challenges.

Now I've had one or two businesses that have come to me also, to join them in the loop. I had one business owner who said, *Well, minimum wages are not going to make a difference to me because I am already paying \$10 an hour.* But it is not that simple again! Because at the end of the day the employer for that company, of which he is paying \$10 an hour, is going somewhere buying bread, employing the services whose bills are going to increase, and that employee who is even already making \$10 is going to get a knock on his employer's door saying, *Boss, the bread that was costing \$5 before, the piece of jerk chicken for \$8, that gone up!* Because, the lady who was paying her employee \$4 or \$3.50 an hour, has now gone to \$5, and she is going to be looking out for her bottom line. So, they are going to say that if they have to now move from \$3.50 an hour to \$5 when they are selling the jerk chicken, they are going to have to up the cost.

What do they do with it? Swallow it? Eat it? Put it in their back pocket? They pass it on to the consumer! And who is the consumer? The same families we say we are trying to protect.

So they pass on the \$1.50 per hour on the chicken, so the individual will go, *Chicken, boss, nah*

\$8 any more ya nah; it's \$10. And you see, [if] you ripple that effect on bread, chicken, everything inside that the individuals have to buy, they are knocking on the doors and saying to their boss: *Boss, \$10 is no longer good enough.*

That is why, Madam Speaker, we can put it in nice fancy economic terms or we can put it in layman's terms. It has a ripple effect on the cost of living. Everything starts to elevate when we talk about minimum wage. It is not as simple that you just change one thing and nothing else changes. In economics we call *that Ceteris Paribus*—all things remaining the same; all things remaining equal. But in this scenario *this is no Ceteris Paribus*, Madam Speaker; this is you change that and everything else changes.

So when you do that that you find that one ripple effect, whether it is the grocery store, whether it is the jerk chicken stand, whether it is the electrical bill, whether it is the security guard, irrespective, the helpers or otherwise, everything has gone up! So, rather than us now spending \$3,000 an hour and perhaps can live a decent life, we find that we are now spending \$4,000. *Oh, but I guess the world is a better place.*

Madam Speaker, minimum wage was introduced in the United States on 24 October 1938; that is, the Federal. It has not solved the problems; they are still having the same struggles. I can tell you it becomes a good political football tool. And everybody comes on the east side and west side of this Parliament and pumps their chest and talks about how I am going to up it by 50 cents and see if we can win some more votes! But the reality of the situation, Madam Speaker, is, yes, something that has to be done. There is a compromise that has to be reached, but it is something that has to be carefully considered.

If our good forefathers could say to us when it comes to building houses, building boats, cutting lumber, measure twice and cut once, I am sure it has to transcend and convey itself to something as important as when we talk about something like minimum wage. And it should not be something, Madam Speaker, that that Member or anybody else in this House is going to simply, from a populist position, try to just bring on our bleeding hearts and just talk about we have to do this which means that we are not supposed to consider what we are doing. We are supposed to consider it!

I look forward to seeing if the Leader of the Opposition is going to comment on it as well, because when he was in office he also talked about the fact that he supported a minimum wage. He wanted it to be in the same format: "cap fits all and straight across the board." Yet, in his four-year tenure as Minister of Labour he did nothing! Not even so much as to form the committee.

Madam Speaker, think about how we could have hit the ground running today if he had at least formed the committee and had the reviews done so that we could sit down somewhere and make an in-

formed decision and the Member for North Side would not have to be drawing something out of the sky, pulling it out of his head. We could have some facts and figures that we could sit and make an informed decision. But the Member did nothing. I hope he will make a contribution today.

Madam Speaker, the Minister raised another concern, the other haunting concern. And let's be clear about minimum wage: When I was responsible in my two-year tenure—not the 11 years like the Leader of the Opposition seeks to brag about—even with the cleanup programme we paid—I paid—\$10 an hour. So do not let the Member for North Side rise now and say that Ello Solomon did not have any consideration. I paid \$10 an hour. We paid \$10 an hour.

But it is about understanding the ramifications of your actions and therefore taking on a sense of responsibility and say some things need to be done in an informed, prudent and in a responsible manner.

Pay reversal! So you have Caymanians . . . let's start with the individual going to the workplace. Are we supposed to say that because you have a specific profession (and I don't want to try to single any out) that now they may be making \$3.50 or \$4.00, that you will now raise it to \$5 and Caymanians are flocking to get the job? Because it is \$1 or \$1.50 increase? No, Madam Speaker! The majority of Caymanians that I know do not want to work for anything less than \$10 an hour. Absolutely! And even that is unacceptable to many. Even that is unacceptable to many. So let's not fool ourselves. Like it is going to be a line of people lined up prepared to go marching down there because, *Well, I didn't want the job before when it \$3.50 an hour, but now that it is \$5 I think I will apply.* Not that simple. We need to do more than that.

Madam Speaker, I hear the Member and others again, by innuendoes if nothing else, bandying that that is the reason foreigners are coming into the country and taking over, because at the end of the day you have these cheap wages that are being paid. And you say it is something logic. I miss the logic, because what we are saying is that the foreigners to which the Member for North Side talks about that are lined up by the droves to come here for a job for \$3.50 will stop coming when you raise it to \$5. I don't understand that. If they are coming here for \$3.50, Madam Speaker, I believe they are going to keep coming and it is going to increase, if anything, when it goes to \$5. Again, it is a reality. But yet the \$5 does not guarantee that too many Caymanians, in terms of salaries encouraging versus discouraging, are going to be piled up to get that job. No!

The majority of people out there, even in the manual labour area, Madam Speaker; even in the area, as a Minister of Labour would have to say, in the unskilled areas, the areas that need skilling up, even they, cleanup or no cleanup, arguably does not want to make anything less than \$10 an hour. So what are

we doing with \$5? Who are we pandering to with this? It has to be considered, Madam Speaker. Pay reversal!

Let's say we do have the Caymanians, as the Minister, I believe, was suggesting, going on the job site and the job site was going to pay him \$8 an hour or the \$10 an hour that a Caymanian finds acceptable to work for, but because there is now a minimum wage, the employers begin to set and say that this is an entry level job. Why should an entry level job be getting that amount of money? The Government says the minimum wage is \$5. So now, Madam Speaker, where there may be an ethical unwritten code engraved somewhere in the minds of someone on a piece of paper, and if God really blesses us on someone's heart, now there is a piece of legislation that says, "minimum \$5." And they believe they have the legal, if not the constitutional, right now to say, *\$5 take it or leave it*. And so somebody is being bumped from \$8 down to \$5.

All of those, Madam Speaker, are legitimate real potential ramifications of even a minimum wage of \$5, which I do not see reflected in the Motion insofar as its consideration.

It is also, as we raised the issue, about enforcement. I also hear that Member talking a lot of times about the enforcement. In fact, he criticizes this Government constantly saying, *Oh, we have laws but they are not enforcing them*. Well, there is a consideration to be made here insofar as enforcement.

Madam Speaker, right now as we sit and speak there is a family and they are paying their helper \$3.50 an hour. And we raise the minimum wage, as the Member for North Side suggested, across the board, to everyone except juveniles. And they now have to pay \$5 an hour. How do you and I know that the individual helper is now receiving \$5 an hour, Madam Speaker? How do we do that? How would we do that?

Maybe the parents will have to fill out a sheet and make a declaration that confirms that they are now paying \$5 an hour and that the declaration will say, "If you are lying on this form you will be fined and/or imprisoned." And maybe we will find that sufficient. Or maybe the person has to show deposits to their bank account that confirms that the individual is making \$5 an hour. Either way, Madam Speaker, the enforcement of that law requires what all laws require that are being enforced—a cost, an additional cost borne by the Government which the Government is the collective institution of the taxes of the people of this country.

So, the single parent also has to pay, who is not only having double to pay on her helper's cost, she is also paying an increased tax to ensure that it is enforced straight across the board, "cap fits all, didn't measure twice, cut once; \$5 minimum wage recommended."

So, Madam Speaker, it is a matter that when we talk about minimum wage, the Government has made it abundantly clear that we believe that we have to try to find somewhere . . . there have been works. I think there was the National Assessment of Living Conditions which was conducted under the previous Administration. The funding I believe was from the World Bank. And I know there was significant discussion about that one in terms of what that requirement was for someone to survive on a daily basis. I think it came out to some sad amount of \$1.80.

And I think there were many Caymanians again who were appalled to hear that someone would even suggest that they could survive on \$1.80. But, Madam Speaker, suffice it say that it requires significant consideration.

As emotive as the issue is, I believe that I prefer to stand and say and to do what is right, because we can all have these discussions and make our decisions; but we have to do it in a truthful, candid, frank and informed manner so that we can all walk away understanding what it is that we are truly getting ourselves into. That is what we have to do.

Do not make one change now and then when we see the ripple effect, be it negative and/or positive, act surprised and say, *Wow, I didn't expect this*. Let it be clear in our minds—and you are not even going to get it right, Madam Speaker, 100 per cent, even when you sat and thought about it and thought about it, let alone when you do not think about it. So we have to give consideration.

Even when we talked about the minimum wage from the standpoint of the cleanup, Madam Speaker—which I have publicly said that that Member did not get involved with—it was a situation of saying we wanted to ensure that those persons were going to get a decent pay. And, Madam Speaker, that is where we came up with the number of [\$]10. And I would like to say that I seriously doubt that the Government would have gotten the level of participation, for example, Madam Speaker, had we made it \$5 an hour. I seriously doubt it.

I believe in part, the success of the cleanup programme which employed over 800 plus persons in this country, to which I am very proud to have been a part of, and I hope that we can do it again this year—that is the little bit of pressure on the Government. Hopefully we can do it again this year.

[inaudible interjection]

Mr. Ellio A. Solomon: I understand no pressure is needed.

So, hopefully we can do it again this year. It is a matter that \$10 has proven to have been equitable enough, Madam Speaker, to have satisfied the potential energy that sat on the other side in terms of those who were willing to sell their services to come over

and to engage in the cleanup and to have made it a success.

So, I don't want anyone Madam Speaker—even though I am sure someone will attempt to do so . . . let there be no doubt, my beginnings, Madam Speaker, are no secret to anyone. I grew up in very humble beginnings. I've stated it before. There were times when I came home, one big pot of split pea soup and sometimes worse. Open the fridge, guava juice and carnation milk. But I had parents who worked hard and they were honest. But in all of that, Madam Speaker, it did not make me lose my senses. I still understand the ramifications of my actions. I still remember the words of my parents who said, "measure twice, cut once", especially in the position I have today. I have to think about it.

I am going to think about not just the persons I employed in the cleanup when I attempted to make sure that they had something to eat, and their families had something to eat, but I am also going to think about the mothers and fathers out there who have their helpers. Therefore, I say to my colleagues in private as I would say publicly: What do we seek to carve out if any for them? What do we seek to do to ensure that we are not going to put hurt on them?

Madam Speaker, I said to my colleagues just a few days ago that sometimes people can kill you with love, you know. They mean you well, but they can kill you with love. So, Madam Speaker, we need to make sure that we are considering things carefully. And that is the fundamental thing that I want to raise here.

When I saw the Motion, the Government through the Minister has said that we they are going to accept the Motion. And, of course, we accept the Motion. We accept the Motion and the principle of the Motion insofar as the minimum wage. And the Government is making action towards it. It has been doing it, but we are doing so, Madam Speaker, in a responsible way, understanding the ramifications of our actions. And it just concerns me that the Member for North Side (and I understand seconded by the [First Elected] Member for Cayman Brac) will come with the Motion of which I have to say, Madam Speaker—

[inaudible interjection]

Mr. Elio A. Solomon: —appears to have had very little consideration insofar as this drafting. I have to say it! Because if it did have consideration, Madam Speaker, then it almost seems as if it was done in a way, in hopes that this Government would have rejected it based on how it was drafted.

Madam Speaker, in closing I just want to say that the Government will accept the Motion because definitely there is the principle of the argument. We will look past the fog of the war, we will look past all of the errors, wittingly or unwittingly, and we will seek to

look and to focus on the principle. And that, Madam Speaker, is about seeking to ensure that we can provide some baseline that we believe is something equitable in this country insofar as the fair trade of labour; someone selling their services, Madam Speaker.

But that said, let us not attempt to sell to anyone in this honourable House or in this country that is a simple matter of drawing from the sky an arbitrary figure of \$5 and that it solves all of the problems. It is not that simple. We need to sit collectively and reach some conclusions, have the proper studies done so that when we come forward with something, Madam Speaker, it will not be perfect; it will still have its negative ramifications, but hopefully, we will have done as much as we can or as much as we could to mitigate, reduce, eliminate, as many risks and negative ramifications as possible.

With that, Madam Speaker, perhaps I would like to say just one more thing. And I know that the Leader of the Opposition and obviously, again today, by two other Members of the House, the Member for North Side and the First Elected Member for Cayman Brac, take a different position. But I look forward, Madam Speaker, in terms of when we talk about minimum wage, if there is not to be consideration as well with respect to that being in certain sectors, particularly, Madam Speaker, when the Member talks about encouraging and discouraging.

You see, for example, Madam Speaker, you can go into a specific industry and I know what the arguments are against that. They will say well, is not that more difficult to police? Madam Speaker, the fact of the matter is that I've said before, there are challenges with everything. But in terms of those various sectors, if you say, for example, we have the front desk persons in banks or other institutions, which we know is a job that many Caymanians are holding (just as an example, because clearly we are scattered throughout all of the different areas, levels and industries), you can see, Madam Speaker, that if that base salary right now is \$20 an hour, that in reality financial records show you that even by solidifying that as the \$20 an hour, chances are, offer some protections, because it would mean that at the same time you will not have this bleeding effect, if you like, of what many persons will say of the cheap labour entering in and what was now the \$2,500 job has been reduced to a \$1,200 job. So again, sectoral minimum wage, Madam Speaker. Again, it is the consideration and depending on what it is.

I don't know. I know the Member talked about the fact that the Cayman Islands had a minimum wage in 1963 or something to that effect. I believe it was 1963 he mentioned, or that would have been his effort at that time. But, Madam Speaker . . . and I don't know if that is indeed the case, why it was removed. But what I would hope is that when the Government of the day has done its review, has made its considera-

tion and has come forward with something—not like the promises of the previous four years—but when we have come forward with something that it would have been something that has been carefully considered and as much effort done to mitigate the damages, Madam Speaker, so that we can say to the people of this country that we believe that we have that equity, that equality insofar as saying, *Here is that baseline. We believe no one should make less than this. And, that we have done as much as possible to avoid the negative ramifications on the people of this country.*

With that, Madam Speaker, I would like to thank you for the opportunity to be able to make this short contribution to this particular Motion.

The Speaker: Thank you Fourth Elected Member for George Town.

Does any other Member wish to speak?
[pause]

Leader of the Opposition.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, as I listened to the “Minister of Hard Labour” with his customary grace and charm, put forward the *true* position of the Government on this important Motion, I remembered when I was a young man hanging around the old Galleon Beach. There would be these arguments going on and there was a gentleman (now deceased) who we called Dukie (Dukie Ebanks). And when someone had ranted and raved and carried on for a long period of time, but had actually contributed very little to the discourse, he would say, *So loud the thunder, but so little it rains.*

Madam Speaker, the “Minister of Hard Labour” talked at length about this Motion. He criticised it. But I listened carefully. I even made notes, which I don’t usually do. But I still do not know, Madam Speaker, what his position is other than his usual need to attack the Elected Member for North Side. Because, Madam Speaker, he said . . . what I believe he said, from what I distilled, was that \$5 an hour is too high because there are potential employers who would not be able to afford that; but \$10 is too low because Caymanians are not going to work for that. So, I am not sure, Madam Speaker—

[inaudible interjection]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: *[addressing interjector]* I am speaking about the Minister of Hard Labour. Yes, the “Minister of Hard Labour.”

[Inaudible interjection]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: So, Madam Speaker, I am not sure how any

amount of discussion, research, evaluation, consultation, is going to allow us to arrive at any figure which would be satisfactory to the MHL [Minister of Hard Labour]. Because, Madam Speaker, if \$5 is too high, and \$10 is not enough, there is no middle ground, there is nowhere to go. The only conclusion I can reach is what the “Minister” is saying, is that we should not bother with minimum wage legislation at all because the present situation is satisfactory.

Madam Speaker, as the “Minister of—

Point of Clarification

Mr. Ellio A. Solomon: Madam Speaker, on a point of clarification. Could I ask the Member to please enlighten us as to exactly who in the House is the “Minister of Hard Labour”?

[inaudible interjection]

Mr. Ellio A. Solomon: Because I sure hope he is not referring to the Minister of Labour as the “Minister of Hard Labour,” Madam Speaker, because it seems as if he has definitely taken a very disparaging position against the Minister of Labour, or someone in this honourable House by making reference to the “Minister of Hard Labour.”

If he says “Minister of Hard Labour,” Madam Speaker, I would remind him that the only Member in this House who I have heard talk about hard labour and going to prison is him and the Member for East End. So I ask for that clarification.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Thank you, Madam Speaker.

The Speaker: Leader of the Opposition.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, we seem to be invited by the “Minister of Hard Labour” to make a distinction—

The Speaker: You do need to drop that adjective.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Thank you.

But for the benefit, Madam Speaker, of the Fourth Elected Member for George Town, I was not referring to the Minister of Employment who spoke first.

Madam Speaker, the Fourth Elected Member for George Town—

The Speaker: I’m sorry. You said you were not referring. . . I’m just clarifying it for myself now. You were not referring to the Minister of Employment? Is that what you said?

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: No Ma'am. I was not referring to him.

The Speaker: Oh! Okay.

Point of Order

Mr. Ellio A. Solomon: Well then, Madam Speaker, on a point of order.

[loud audio interruption]

The Speaker: What's your point of order?

Mr. Ellio A. Solomon: My point of order is seeking clarification again, Madam Speaker.

If he is now saying to this honourable House that he was not referring to the Minister of Labour, and I am the only other person who spoke, if he could tell us who he was calling the "Minister of Hard Labour" and please define for this honourable House, Madam Speaker. And I am not going to let him go with it! Define for this House what he means by "Minister of Hard Labour."

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, I know the Fourth Elected Member for George Town has only been here a couple of years, but that is not a point of order at all. I gave way to let him make his contribution, but I am not going to spend my time arguing with him about who the Minister of Hard Labour is.

The Speaker: It is the Fourth Elected Member for George Town you are addressing?

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: I'm not addressing anyone, Madam Speaker, I am addressing the Chair.

The Speaker: Well I'm not the "Minister of Hard Labour."

[laughter]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: No Ma'am, not at all, not at all. You are Madam Speaker.

The Speaker: Thank you.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Always, Madam Speaker.

The Speaker: Thank you.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, the Fourth Elected Mem-

ber for George Town, when he spoke, seemed to be making a distinction in human terms between persons who are Caymanian and those who are not.

He talked at length about the hardship that might be imposed on people who are going to have to pay helpers, but he never mentioned the reality that persons who are working for less than \$5 an hour are struggling just to live in a society such as this. Many are living in accommodations four and five to a room. How can anyone survive, Madam Speaker, in this country on something like \$26 to \$28 a day? But that is the reality of many people in the Cayman community.

Mr. Ellio A. Solomon: *[Inaudible interjection]*

The Speaker: Order.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: That is the reality, Madam Speaker. Madam Speaker, that is hard labour.

Madam Speaker, the reality is that in the present context of Cayman, minimum wage legislation is going to affect mainly immigrant labour. That is the reality. But if we do not believe that at the core of much of our social problems is the fact that for years and years and years we have been importing poverty, then we need to think again. And, Madam Speaker, this is something that I have given very careful consideration to for a long time.

[inaudible interjection]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, I am usually okay with these things, but really, the Fourth Elected Member for George Town has had his say, and just because what I am saying seems to be going contrary to his argument is no reason for him to constantly interrupt.

[inaudible interjection]

The Speaker: Please just turn off the microphone in front of you. That will help.

Mr. Ellio A. Solomon: My microphone isn't on.

The Speaker; Well, turn your volume down. Personal volume.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, you know me, I'm quite happy with the little crosstalk now and again but it is becoming annoying.

[loud inaudible interjections]

Some Hon. Members: Oooh!

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: It's becoming annoying.

[inaudible interjections and microphone static]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Ah, Madam Speaker, so loud the thunder.

Madam Speaker, I commissioned a report which was delivered to the Government in September of 2007, which I understand the current Minister is still working from, in terms of reviewing the organisational structure and the labour legislation which applies in the Government and in Cayman generally. Madam Speaker, one of the recommendations contained in this report (and there are many) is a recommendation for the imposition of a National Basic Minimum Wage.

Madam Speaker, I went through the consultation process. I had a number of discussions with the Chamber of Commerce, with the Cayman Islands Tourism Association (CITA), with the Cayman Islands Human Resource Association (CIHRA). There was little enthusiasm for the introduction of a minimum wage. Madam Speaker, I have always, always been in favour of a National Basic Minimum Wage; a wage below which no adult person can be expected to work. And that reason, Madam Speaker, is because we all need a minimum income to survive. I've said it before and will say it again; it is one of my abiding regrets that during my term as Minister, we did not introduce the minimum wage.

With the minimum wage, the changes in that regard were to be part of a comprehensive review and what I call an upgrade of our present labour legislation. We were faced when we were ready to deal with this, in the middle of March and April of 2008 with the onset of the global recession. And, Madam Speaker, in principle, that aside from the fact that we still have not had the full buy in of commerce, is what influenced the decision not to proceed. Whatever criticisms go along with that decision I take. But I am telling the House and everyone honestly, that is why that aspect of it did not proceed in 2008. But, Madam Speaker, that has never changed. In fact, my resolve about this has hardened the more that I have come to look at this situation in relation to Cayman and what is happening.

Now, Madam Speaker, the Fourth Elected Member for George Town does have a point about how much the cost of paying domestic helpers and so forth is, and how any increase is likely to affect those who have helpers. That is a reality. But, Madam Speaker, I believe we made one huge mistake years ago. And I understood why. And am not being critical of the Premier and the Elected Member for North Side and whoever else helped push through the pension legislation. It was a carve-out, which remains, which

exempted those persons at the lower end of the employment strata from having to pay pensions.

The result though, Madam Speaker, is—and I can give you some real live examples. Persons worked in that capacity for years and did not contribute, and therefore have no pension, but have remained in Cayman and in many instances have become Caymanian. They have no pension. I know a number of them who are now not working, not able to work. So who do you think looks after them? Ask the Minister of Community Affairs.

When we make those carve-outs in social legislation, that is often the unintended result. We cannot treat people just because of how little they earn and how little power they have—because they can't vote—as though they are subhuman in some way, and not entitled to expect at least a living wage. So, Madam Speaker, this is the view that I have come to, over the course of many years of thinking and looking at this and having seen what happens.

Madam Speaker, whether \$5 an hour is satisfactory or not, if someone said [\$]6, I would not argue about it. But, Madam Speaker, we have to start somewhere. All of us know, or should know, people who are working for \$3 . . . I think the lowest wage that I have actually confirmed is \$3.25 an hour. Maybe people are earning less than that. But \$3.25, \$3.50, \$3.75 is not uncommon. As I said, the majority of people earning these wages are immigrant labour.

But, Madam Speaker, if the wage were higher, particularly in the present economic climate, I do believe there would be more Caymanians who might be inclined to take it, to do that kind of work—whatever that kind of work is, whether it is being a bartender or a server. I doubt, Madam Speaker, given the cultural views about that in this day and age, whether we will have any Caymanians who are prepared to work as domestic helper. That kind of went out with my childhood. I don't know of any so I am not trying to suggest that this is likely to affect them. But in this day and age . . . and I'm sure Members of this House are getting just as many people coming to them for help in trying to ask for your help to get a job as I do every day. People are saying, *I'll do anything, it does not really matter, I need something to do*. But they are not going to work for \$3.50 an hour.

And so, Madam Speaker, I believe we have to start somewhere.

Where I had gotten to with CITA (Cayman Islands Tourism Association) was that I had indicated to them that as a policy I was prepared to recommend to my colleagues (and the Minister of Employment did speak to this) that if the minimum wage was \$5 an hour or \$6 an hour, whatever it was, part of the gratuity that was paid could be applied to that. But if the overall earnings of the employee over whatever the pay period was fell below what the national minimum wage was per hour, they would have to make it up.

And they seemed (although I never did get a formal response) to be prepared to accept that kind of approach.

I spoke with enough people in the business community, including key people within the Chamber of Commerce and in the broader business community, and I don't believe there will be any real resistance there. There will be (and I will give the Fourth Elected Member that) some issues as it relates to the use of helpers and so forth, and we will have to find a way, Madam Speaker, to work through that. But I do not believe that a society which still holds fast to Christian principles can continue to treat the most vulnerable in its community as though they are subhuman, as though they are not entitled to earn a living wage and still profess to be a Christian society.

Madam Speaker, I believe that the Motion is a good effort. I do not though, Madam Speaker, take a great deal of comfort in the very careful response of the Minister of Employment, that the Government is actually accepting the Motion. I believe they are accepting that they will continue to look at the issue of minimum wage, for whatever that is worth. And my concerns and doubts about that have been confirmed by the contribution made by the Fourth Elected Member for George Town in his capacity then, Madam Speaker, as "Minister of Hard Labour."

Thank you, Madam Speaker.

The Speaker: Honourable Leader of the Opposition, you have just given the Government a sixth minister. Be careful how you use the term.

Member for North Side, please . . .

Honourable Premier, you were going to say . . .

The Premier, Hon. W. McKeeva Bush: Madam Speaker, I have been around long enough and fought enough battles in this House to know when people speak genuinely and when they speak for political mileage.

This Government gave a commitment, months ago. We gave a commitment in our campaign, Madam Speaker, to bring wages as much as possible into line with the cost of living. We gave a commitment to address the inequities existing in our country with people of lower wages; particularly people from outside. And the [Member] just sitting there cannot criticise me, and I don't think he can criticise even the Member for North Side who has been out of the House for a long time, but who supported my drive to get labour legislation in this country. And with labour legislation I talked about wages.

He might attempt to belittle the contribution of my colleague, the Fourth Member for George Town, but my colleague made some valuable and valid points. And he, who was the former minister, should

have listened carefully to what the Member was saying.

Madam Speaker, the whole matter of employees only getting \$5 per hour or less, employers in this country only paying \$5 or less, it is a real problem. Security guards, cashiers, domestic helpers . . . but before I get to domestic workers, take for instance, cashiers. This is an area that is keeping Caymanians out of work and it has been done a long time in this country. And I had to fight the people in the commerce. And you heard the Member who just sat down talk about him fighting them. I didn't hear any such fight; I didn't even see.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: *Uh-uh [addressing inaudible interjection].*

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: Well, the impression I had from him, Madam Speaker . . . he said he didn't fight anybody but it sounded to me that he was again couching his language so to say that he did not do that, of course, because he didn't want to get anybody mad at him. He is the Opposition, and he needs to be able to show the world that he is on their side. But that is why we got nothing, Madam Speaker. That's why we did not get anywhere with this. Because he did not take them on. He didn't do anything in his four years, actually.

So, Madam Speaker, I've been through this. I've been through it. This country has a particular problem. Cashier, for instance, should be an area that certain Caymanians . . . for if we talk that Caymanians have not produced well in school and can't move towards being a secretary, they say that (and you hear this a lot), *Oh well, they can't fill out forms good and . . .* In fact, what they are saying is that they have not reached the level of education. You hear that a lot. But certainly, if they had been given some training they should be able to be a cashier, many of them. Many young ladies I see walking around I know they could be.

Perhaps a security guard is only something of recent vogue, the last 10 to 15 years in particular. And so Caymanian men and young boys have not drifted towards that. But how can anyone drift when you are paying them \$5 per hour?

Nobody needs to come here and preach at me, Madam Speaker—because I am not liked in this town today by some of the same pharaohs that hang along with the Leader of the Opposition and crown him. Because McKeeva Bush fought them on the matters of labour and wage increase in this country. And don't think I don't know the machinations and did not see who was where. Because now they can come and

vote with the Member for North Side, but he too ought to know who fought us!

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: *[addressing inaudible interjection]* Some of them are. Some of them [are] supporting you now. That's good in this House.

An Hon. Member: They are the ones that left you.

The Premier, Hon. W. McKeeva Bush: I don't think they did. I don't think they were ever with me.

[laughter]

The Premier, Hon. W. McKeeva Bush: Madam Speaker, you know, when it comes to these areas I could speak with some passion here. I can speak a long time on it because social development is how I got into Government. It was because I saw a country where low wages were being paid. There were no parks, there was no social development. There were no training programmes. And when people left here to work age 60 and 70, they left with their hands behind their back and they got a little Timex Watch and a good pad on their shoulder saying, *What a good boy you are.* And I came from that side of the street and that is why I am not liked today by some people, because I got up and said, *I got shoes. I want shoes too, I'm sick of carrying bags.*

I can talk about pensions. I can talk about labour legislation. I know what the country needs as well. And so they fought me as the Minister of Labour. But I put things in place, and I am proud today that pregnant women in this country got benefits and there are benefits for both parents today. And we can't go overboard in these things because we just can't. But I am glad that I fought those pharaohs and put the benefits for this country. This country would not have had pension legislation if I did not move that motion, take the licks, and fight for it! The people would not have had anything, as little as they get today. They would not have gotten the benefits. They would still have been under the Masters and Servants Law, the old Truck Law, which was for the 1800s when we had . . . and 17th and 18th century when we had slavery! That was when [we had] that legislation that I fought, Madam Speaker.

You might remember a little bit about it. You are a historian. You have been around a long time, Madam Speaker.

Mr. D. Ezzard Miller: Not that long though.

The Premier, Hon. W. McKeeva Bush: Not that long, but she knows well, though, because she had a hus-

band who passed away and who knew about it. She herself knew about it.

I will never forget the advice he gave me on it and the verses of Scripture that he pointed out to me, and how I sat in that corner where you see the Member for North Side now. He's behind there now on that front bench, fighting for it. Somewhere about there. It's probably a bit longer now. Never forget it. They gave me Miss Annie's seat and when it broke down the first day I sat it in it, they said, *That's what you are going to get in here if you don't behave yourself.* I fell flat on the floor, I'll never forget it.

So, Madam Speaker, when the Member for George Town who leads the Opposition talks about it, they were all part and parcel of the same ilk that I had to fight. The same ones! The same ones who would come in the gallery and aggravate me!

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: *[replying to inaudible interjection]* You should have still been going; you might have learned something

Madam Speaker, our people who have now to import this sort of labour and with low wages, give rise to far too many social problems. He used the correct term "importing poverty." It is the correct term. But, Madam Speaker, a country with the type of economy and a small population—remember we are service based. That's what we are. We offer services. We don't have oil, we don't have a large agricultural sector, and we don't have a large manufacturing sector. We rarely produce anything, except service. We have to be very careful how we handle importation of labour.

Hitherto fore, Madam Speaker, Caymanians stopped going into employment of domestic helper. They stopped, probably from the days of my mother. A long time ago. And we had to bring that kind of labour in.

Madam Speaker, the Leader of the Opposition speaketh with a forked tongue.

Madam Speaker, I mentioned cashiers earlier. We can look back at the hospitality industry. I remember, Madam Speaker, that is where I started out with my aunt and her husband. That's where I started out and it was people that came here who sent me to the Community College. Foreign people who helped me at that time back in 1970 and '71.

When we were progressing on a dynamic economic boom, none of our parents wanted us to be doing what they had to do and they told us that plain and straight. *I don't want you chopping somebody's grass piece. So you should rise above the blue collar worker, the labourer, mixing cement.* But any country is going to have that group of people. But they didn't want us to do that. They said. *Get into a bank, that's what it is today. Wear a necktie and a white shirt.* And

they were proud of that and we were proud to get that far.

The hospitality industry, Madam Speaker, Caymanians didn't recognise (the younger ones) exactly how important that industry was and would be in the future. And when I see people taking home \$60,000 per year—\$5,000 a month, and people working at a bank as a cashier or teller for \$1,200 to \$1,600, they need to look. But we didn't do a whole lot about training people in the hospitality sector. We tried you know, but . . . Madam Speaker, the way some people play politics is not good. I remember the criticisms I received for attempting to pay students \$200 a month to go to the Hospitality Training Service programme that I started as Minister of Labour in the Community College between 1992 and 1996. I remember the beating I took here on the Floor of this House from people.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: No? It wasn't you.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: It wasn't from him. He wasn't here! I had gotten rid of him. But it was people who are guiding you now though!

The Member for George Town, the Leader of the Opposition—who is leaving the Chamber—says that I should tell the House that it was the people I named the College after. How dare he, Madam Speaker! How dare he! How dare he do that!

That is not so. That man put things in place. Opposed me, but he put things in place. And we must say that he did. He built the College. That is why it is named after him. It wasn't him. I had defeated him in 1992. It was the people who are guiding him who I see coming up in that gallery and sitting on radio shows. That's who was beating me. That's who was beating me; him and many more. But it was the right thing to do. Well, they got rid of me for some point and then they stopped that programmed.

Caymanians need to be trained, need to understand the value of the hospitality industry. That's where our parents worked and they raised us and built homes out of it, as little as the pay was. And so I attempted to do that. We put it, it stopped. I am starting again. I will soon have an announcement about the Hospitality Training School. Well, if we go on until Monday I might do it then. If not, it will be done before the end of this month, because it is important for this country.

We need to educate, we need to encourage, we need to make sure that our young people understand. And then when we train them we have to make sure that they get into the jobs. That is a fact of life.

We are going to have to do that. But as long as they did not drift there and they would not go there, now some of them are out of work. People are out of work and I have people tell me, *I would go there now*. They say they will go. But you know it is not just a matter of going and pouring a glass of water. No matter how much you can handle a computer, it is a matter if you have the skills to deal with people; it is a matter if you have that ability to take that order as a waitress and be nice and make a person sitting by a table feel that they are welcomed, or in their room when you go to them to be a room maid.

These are things that they have to learn and want to be. So, I am hoping that they will see the value of that school now. But I got cursed for it in the 90s and then I got cursed for it between 2000 and 2005, because I brought a hotel training school. I went all out to get it, Madam Speaker, and made sure to talk about the wages and everything else. Then they took it and we had to turn it into a place for people. Now we do not have that anymore.

You know, sometimes I have to look back and say, *You see, they just curse you for things they just want to curse you for*. I can look back at many, many things in this country. That was one of them, and they are using it now for people to stay in. It had failed and Caribbean Development Bank was taking it away. Government took it over to help the people save a little of their investment.

I will never forget, Madam Speaker, when we bought the land from Rex Crighton where the school is up there off of Poindexter, I think it is; the Red Bay School. Is it Red Bay, the new one?

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: Prospect.

Oh, Madam Speaker, I had just bought a car. We got Government to purchase that—it is a little bit off but I need to tell you this—and then we got Government to purchase the piece from the Hawley Family where the Caribbean Haven is.

The Speaker: Mm-hmm.

The Premier, Hon. W. McKeeva Bush: And you know what they did? They called my car the Hawley car. I had just bought a car

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: No, no, not Holy; H-a-w-l-e-y—putting dirty meaning to it that that is how I got my car. But they used it, Madam Speaker, for the purpose that I wanted it for; for halfway houses and so on. And they have it now for Caribbean Haven, for drug people.

And so they didn't get that hospitality school but I will have an announcement within the month to tell this country what I am doing again. And this time I am going to tie it up in a contract that they can't move it and they can't stop it! Because, Madam Speaker, the country needs this, and politics should not stop those things. And with that we have to tell all the hotel industry, *Look, you want to operate here as hoteliers, look, you want to build condos here, you want our people to work, you are going to pay them*—and I don't believe that \$5 should be it! I said when the Ritz was building and I left an agreement with them that the minimum would be \$7 an hour. I don't know if that changed between 2005 and 2009, but I do not believe that everybody there gets that. I am not sure.

[inaudible interjection]

The Premier, Hon. W. McKeever Bush: But the agreement was when we supported them for the hotel, that that is what it would be, minimum.

And so, Madam Speaker, no one needs to question this Government on our commitment. As the Premier, I go way back with it. The Deputy herself made changes and improvements when she took over the Ministry of Community Affairs, and we have a good history of doing this.

When the Motion came, Madam Speaker, we said, *Well, should we support it?* The Member might be genuine in wanting to get it done. But he ought to understand that we are genuine and have started something.

Now, Madam Speaker, I hope the seconder, my friend the First Elected Member for Cayman Brac, is paying his people over \$5 an hour. You'd better be because we are going to check on you in that survey. You better be. You can shake your head. I hope you are doing it because up there that is one thing we are not going to give any leeway for; not the wages, we give on import duty for Cayman Brac. But they are going to have to do what everybody else does when it comes to wages. So tighten up your belt.

Madam Speaker, I thought that the Minister of Education, who is responsible for Employment, had spelled it out quite clearly and that the Fourth Elected Member for George Town did the same. We are working on this right now. Government is accepting the Motion. We have it under examination. The Minister is working with it now. But to have thrown the Motion away, Madam Speaker, would not show the Member for North Side that we are not all that he says we are. So, we are accepting the Motion.

[inaudible interjection]

The Premier, Hon. W. McKeever Bush: Oh, you are not saying it in here; you go on the radio and say it, though.

[inaudible interjection]

The Premier, Hon. W. McKeever Bush: All right.

So, Madam Speaker, I just want to repeat that. This is no political game. We have to be careful on all fronts on who we bring in here, who we are employing to recognise that when we employ people, that we have to treat them right, that if they stay here long enough we have to . . . he wouldn't address that just now though. No, no, he wouldn't address that. Talking about treating them right, I have a maid (had here for a long time), and there's nothing that she wants that I do not help her with, including here children and her family in Jamaica, because I believe that we should do that.

I pay her good money. I give her tickets to help her go several times. But I can do that, Madam Speaker, because I can leave my house in her hands. She helped raised my granddaughter, and now she is helping with two other grandchildren. And when my daughter passed away she was like the mother for my granddaughter, and still is. She still is. And I thank God that I have someone like her that we can fall back on.

And we do need to treat these people correctly. But I just don't talk it you know, Madam Speaker, I do it! It's not about politics or votes. She can't vote.

People who live here long enough, though, the former Minister of Education should know; the one who got up on the Courthouse steps and said that these kinds of people should not be here. You see, Madam Speaker, what a difference a day makes. The same man who got on that Courthouse steps and ridiculed me about Caymanian status and it was nothing left he did not say about foreigners, and he caused the division in this country! He, more than anybody else, by that speech that he made on the Courthouse steps about not having foreigners here. Now you have the audacity to stand there and talk about people doing things for votes. I don't know if the Member for North Side is doing anything for votes, I don't know about that. But I know that this is a matter that needs to be addressed! And we have been talking about it for a long time!

And so, our Government gave a commitment on our campaign, the Minister is working at it and it is not something that we can just write a sentence and say this is how it goes because we do have to take business into consideration. We do have to do that. And we have to make sure in our legislation that if we say six or seven dollars and someone is paying eight, that they don't think that they are going to come down to six or seven dollars. That is not what minimum wage means. And I know that people think that. But that is not what it means. And our legislation will be written so that nobody can do that and that is why we have to take time with it.

Madam Speaker, I think I've said enough to let the House and the country know (those who care to listen) that this is not something we are fooling around with. This is something that is important because we are addressing people's lives. Full more, Madam Speaker, they can run, squeal, shout and holler, but when the Human Rights legislation comes into this country, you are going to see something here in this country. They do not understand what they voted for when they put that in there. It was much better to have an agreement between me and my helper whom I did all of those things for just now.

But when they can run and get a lawyer and take you to court and say, *I got to get this, I got to get that*, there's going to be a lot of trouble in these Islands. They can take that. That is a fact. That is what is going to happen.

So, we might as well put something on the books that has a heart in it which shows that we care about people, and that is reasonable to business and and the employee. And that is what my Government is going to do.

The Speaker: Thank you, Honourable Premier.

Does any other Member wish to speak?
[pause] Does any other Member wish to speak?
[pause] Does any other Member wish to speak?

If not, I am going to call on the mover of this Motion to windup his debate.

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

Madam Speaker, I am glad to hear that the Government is going to vote in favour of the Motion now before the House. I just need to comment on a few things that the Minister of Labour said in his debate. Because, Madam Speaker, I raised this issue last year and I was comforted at that time by a promise from the Government that the legislation was being drafted and it was going to be presented in June 2010. A year has gone by and the legislation is not here yet.

Now, Madam Speaker, there seems to be quite a bit of concern about how this minimum wage would affect domestics. Quite frankly, Madam Speaker, anybody in this country today who is paying a domestic [helper] less than \$5 per hour, really needs to consider their position. In particular with the provisions in section 28 of the Law, which talks about, Madam Speaker, forms of wages.

I quote, Madam Speaker: "**28(1) The remuneration payable under a contract of employment may be paid in money or in kind, which expression means payment by the provision of food, a dwelling place or such other allowances and privileges as may be agreed in the contract of employment:**

Provided that-

- (a) at least 50 per cent of the total remuneration shall be paid in money;**
- (b) no payment in kind shall, include any noxious drugs or intoxicating liquor; and**
- (c) any payment in kind must be fairly evaluated on the basis of its cost to the employer.**

(2) The money wages of an employee shall be paid in legal tender, provided however that the payment of wages by cheque, by direct deposit or by postal order shall be permitted if it is with the express consent of the employee, which consent may be withdrawn on one calendar month's notice, provided that such consent may not be unreasonably withheld or withdrawn."

So, Madam Speaker, anybody in this country who is paying a domestic helper, where 50 per cent of that \$5 can be accounted for in meals, accommodations—so we're talking about an actual cash payment of \$2.50 per hour, Madam Speaker—in my humble opinion, they should be ashamed of themselves. These are the people whom they are entrusting, in many instances, to raise their children, oftentimes to educate them, see that they do the homework and make sure that the children are living in a hygiene situation. But if they are not paying them \$5 an hour and they are not providing living conditions, [do] they expect them, Madam Speaker, to really be able to live in the kinds of conditions that would be conducive to raising their children and providing the kind of environment that they should get in?

Madam Speaker, the Premier talked about importing poverty. That's the biggest problem we are facing in the social structures of this country. Because, Madam Speaker, when you import people here and pay them \$2 to \$3 an hour and expect them to live 20 persons to a bedroom 15 x 15, and their total living space is less than 8 square feet . . . And we call ourselves a Christian nation.

In all of the discussions, the Government says it is coming. And because I keep pushing them to bring it I am not genuine. But, Madam Speaker, if they don't bring it, it is going to be back here in the first sitting next year again because I am not going to give up. And, Madam Speaker, if I have a fault as a politician, which I probably have many, is that I don't take positions on issues and matters depending on the politics of the situation in the next election. If I took those positions I would be like the Premier. I would have been here with him from 1984 and still been here. But I believe in doing what is right and whatever the political fallout is let it be.

Now, Madam Speaker, the Minister of Labour was very deliberate in his contribution. He thought almost for minutes before each word so that he could

very carefully and deliberately frame the language that he was using.

[inaudible interjection]

Mr. D. Ezzard Miller, Member for North Side: And . . . No that is par for the course with the Minister of Labour *[replying to interjector]*

Therefore, Madam Speaker, when he says that the Government is accepting the Motion, I know he thought about it. I know it was hard to get it out to say “*we are accepting the Motion,*” but I appreciate it and I thank him for accepting the Motion. But, Madam Speaker, there are a couple of things that I disagree with him on.

Madam Speaker, I do not subscribe to the notion that if we bring it in now, it is not the right time economically to do it. And I believe, Madam Speaker, that now is the right time to do it because of so many Caymanians being undercut by this imported labour force.

[inaudible interjection]

Mr. D. Ezzard Miller: Okay I will accept that you were questioning whether it was but I said that it was *[replying to injector]*

[inaudible interjection]

Mr. D. Ezzard Miller: Right. Okay. But I had previously proposed a motion that it was. The time was now to do it.

And what rate should it be? Madam Speaker, I am fairly comfortable and confident in recommending that \$5 per hour is an acceptable rate in this country below which no one should be hired. And I believe that it will be accepted by most of the employers. Of course, we are going to have those who are going to grumble because they are doing so well off the backs of the imported poverty that the other citizens in this country will have to pay taxes for if they are allowed to stay around and maintain.

I do not accept, madam Speaker, that \$5 is so far below what is currently being advertised in the paper, because when the Minister of Labour raised . . . that he must look into the paper on Friday—we don’t have to wait until Friday, we can look into today’s paper. On page 23 of the *Caymanian Compass* of today, Thursday 8th September, 2011, there is an advertisement for a carpenter and here are the qualifications that they want for this carpenter:

“Qualified person should have a minimum of seven years’ experience and be knowledge in all aspects of construction.” (Not carpentry. Carpentry is only one skill in construction.)
“Should be certified TPR2 Spray Applicator. Must have experience in vulcraft metal deck installation.” (Carpenters in my line of work,

work on wood, not metal.) **“Can do punch list items on small jobs without supervision. Should have own transportation. Must speak excellent English. Pay would be based on experience from \$8 [to \$16] per hour. We also [require] a drug test and police clearance and a minimum of four references.”**

[inaudible interjection]

Mr. D. Ezzard Miller: Now, Madam Speaker, all I am going to say about the contribution from the Fourth Elected Member for George Town [is] that it was as clear as parrot fish discharge on squab bottom after a clap of thunder.

[laughter]

Mr. D. Ezzard Miller: Madam Speaker, I invite the Government to vote for the Motion.

Thank you.

[laughter and inaudible interjections]

The Speaker: Be it now therefore resolved that this Legislative Assembly amend the Labour Law (2007) Revised as follows:-

WHEREAS there are many social and economic reasons why the Cayman Islands Government need to prescribe a single National Minimum Basic Wage;

BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly amend the Labour Law (2007) Revised as follows:-

(1) That the principal Law is amended in section 20 by deleting section 20(1), (2) and (3) and substituting a new section 20(1), (2), (3) and (4), which reads as follows –

20. (1) The national minimum basic wage shall be five Cayman Islands dollars per hour.

(2) The national minimum basic wage shall be reviewed at least once in every five years.

(3) The review of the national minimum basic wage shall be in accordance with section 21 (of the above referenced Labour Law).

(4) Any National Minimum Basic Wage prescribed under subsection (1) shall not apply to the payment of wages to juveniles required by any law to attend school; and

(2) The principal law is amended in section 21(1), by deleting the words “recommen-

datations as to the minimum rates of wages which should be payable” after the word “make” and substituting the words “recommendation as to any increase in the national minimum basic wage.”

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

Ayes.

The Speaker: The Ayes have it.

Mr. D. Ezzard Miller: Madam Speaker, could I have a division please? I thought I heard a No.

The Speaker: Madam Clerk, please give the Member his division.

The Clerk:

Division No.4

Ayes: 14

Noes: 0

Hon. W. McKeever Bush
 Hon. Juliana O'Connor-Connolly
 Hon. Rolston M. Anglin
 Hon. Michael T. Adam
 Hon. J. Mark P. Scotland
 Hon. Cline A. Glidden, Jr.
 Capt. A. Eugene Ebanks
 Mr. Elvio A. Solomon
 Mr. Dwayne S. Seymour
 *Mr. D. Kurt Tibbetts
 Hon. Alden M. McLaughlin, Jr.
 Mr. Moses I. Kirkconnell
 Mr. Anthony S. Eden
 Mr. D. Ezzard Miller

Absent: 1

Mr. V. Arden McLean

**Mr. D. Kurt Tibbetts: Aye, and I hope they know what they just did.*

The Speaker: The result of the division is 14 Ayes, [zero Noes] and 1 absentee.

I forgot to record as well this afternoon that the Member is still absent dealing with his family crisis.

The Speaker: Private Member's Motion No. 1–2011/12 is duly passed.

Agreed by majority on division: Private Member's Motion No. 1-2011/12 passed.

The Speaker: I think this is a good time to take an afternoon break for 15 minutes.

[Proceedings are] suspended until 20 minutes to 7.00.

Proceedings suspended at 6.24 pm

Proceedings resumed at 7.20 pm

The Speaker: Proceedings are resumed, please be seated.

Before we begin this evening, I want to make it clear I am not staying here past ten o'clock tonight. I need my beauty sleep.

An Hon. Member: I'll drink to that.

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 3–2011/12— Government Process Before Committing to Major Development Projects

The Speaker: Third Elected Member for George Town. Is he here? Oh, I'm sorry I didn't see you. I would—

[inaudible interjection]

The Speaker: I would have gotten to that but I looked around and did not see him sitting in the corner.

Honourable Leader of the Opposition, your Motion.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Thank you, Madam Speaker.

I beg to move Private Member's Motion No. 3–2011/12 parliamentary year, entitled, “Government process before committing to major development projects.”

WHEREAS Government has announced its commitment to and/or support for a number of major development projects;

AND WHEREAS little is generally known about the impact of many of these projects;

NOW BE IT THEREFORE RESOLVED THAT the Government undertakes that before committing to or approving any project which is likely to have major economic, environmental or social impact that it will:

1. **Tell the people of the Cayman Islands what the plan involves;**
2. **Obtain and publish an independent and objective feasibility study;**
3. **Obtain and publish an independent and objective economic impact assessment; and**
4. **Obtain and publish an independent and objective environmental impact assessment.**

The Speaker: Is there a seconder for this Motion?
Member for North Side.

Mr. D. Ezzard Miller: Yes, Madam Speaker, in the absence of the Member for East End, I beg to second the Motion.

The Speaker: The Motion is now open for debate. Does the mover wish to speak thereto?

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, over the course of the past 18 months in particular, the country has witnessed a number of statements, announcements by the Government about its support for major development projects. These projects are always touted, Madam Speaker, as being beneficial to the Cayman Islands because they will provide major development, they will provide major employment, they will provide major investment opportunities for Cayman and its people. And that is usually sufficient, it seems, in most people's minds for those projects to be able to go ahead.

In most instances, Madam Speaker, these announcements, at least under the current Administration, are made well in advance of any indication that any sort of assessment is going to be carried out, let alone an objective assessment about the impact on the environment, about the impact on the society, and little is generally known about any proper evaluation assessment of the economic impact of these projects. It is simply presumed that if there is major development it will inure for the good of the people of the Cayman Islands, it seems.

Madam Speaker, in recent times we have had the announcement by the Premier on behalf of the Government of support of major dredging in the North Sound, of the widening of a channel, of a creation of two artificial islands, and so forth and so on. Inevitably, Madam Speaker, these have been met by major objection from broad cross-sections of the community, generally because they do not know in detail what the plan is. There has been no assessment done on which they can rely about the environmental, social or economic impact of these various projects.

Another recent example, Madam Speaker, was the supposed proposed port in East End up at Half Moon Bay. Madam Speaker, in both instances, as I said, there has been major objection to these projects by the local populace and indeed from people overseas who have interest and concern about the welfare of these Islands and the nature of these Islands; a nature which would be fundamentally changed by major projects which have such far reaching, or are likely to have such far reaching, environmental and social impacts.

Madam Speaker, there have been marches, there have been petitions, there is the inevitable out-

cry on the various talk shows and in the other media about projects of this nature.

Madam Speaker, in both instances that I have outlined, the Government has decided to give in to the public pressure and opposition and has withdrawn its support from both the North Sound dredging and the East End Seaport. And so, Madam Speaker, both have fallen by the wayside.

Madam Speaker, it is inevitable, really, whenever any sort of development is going to take place that there will be a sector in the community that does not support what is being done. And, Madam Speaker, if the Government is persuaded (whoever the government may be) that the development is the right thing to do there will be the Government support and there will be other support by people who believe that the Island will benefit from what is being done. And the challenge, Madam Speaker, always is, to determine really what is right, what is good, how much do we concede in return for what we expect to get in terms of benefit for these Islands. That is the challenge that every government has, striking that balance, because you simply cannot sit on your hands and do nothing.

Madam Speaker, I believe that all of us should have learned this lesson a long, long time ago. But certainly, Madam Speaker, the current Administration, I believe, will keenly remember the events of the last year or so in relation to these two projects, in particular, the East End Seaport and the North Sound dredging. And I would hope, Madam Speaker, that the Government does appreciate what this Motion seeks to do. It seeks to obtain from the Government an undertaking that before the Government promotes, becomes involved with, or supports major projects which are likely to have major economic environmental and social impacts, that they will first, in some detail, tell the people of the Cayman Islands what the plan involves, and, Madam Speaker, obtain and publish an independent and objective feasibility economic impact assessment and environmental impact assessments.

By that, I mean truly objective—not somebody that is hired by whoever the entity or the firm or the individual is who is promoting, proposing whatever this project is. What the country needs to be properly informed of to be able to make proper judgment, is an objective study with indications that everybody can get their heads around, can come to grips with, and thereby be able to make informed decisions about whether or not we should go ahead with these things.

The practice of this Administration, Madam Speaker, which I have never known before, of entering into this new creature called a "Ministerial Memorandum of Understanding" where the project does not even have the approval of the full Cabinet, is something that I regard as very dangerous and runs the risk, really, of committing the country to something without proper discussion, without proper debate, and

even without the agreement of the whole of the Cabinet. And that may well have financial implications to the country down the road, but, certainly, it is bound to have reputational implications particularly if (as has been the case in these instances that I have spoken about) the project subsequently goes off the rails because it loses the support of the Government.

And so, Madam Speaker, I am hopeful that with recent experiences the Government will regard what this Motion seeks to obtain as reasonable, as sensible, and as part of the way forward in terms of the way that Government does business, particularly when dealing with major developers in relation to major projects which have a great deal of economic environmental and social impact.

Madam Speaker, I will leave that there and listen keenly to what the Government has to say.

The Speaker: Does any other Member wish to speak?

Honourable Premier.

The Premier, Hon. W. McKeever Bush: Madam Speaker, I said in my Budget debate that the conversion Paul received on the road to Damascus wasn't singular or special to him alone. Because, the advice in this Motion, Madam Speaker, from the Member just sitting down—who only sees anything wrong at this time in the country—had to be some sort of radical conversion.

Madam Speaker, they have done all that they can do to belittle everything that we have tried to do in this country to turn this country's economy around. While they get up and say we support this, we support that . . . ah, but that . . . what if that . . . who you are talking to, that . . . Madam Speaker, they have done everything to kill the impetus.

He knows, Madam Speaker, that there is no dredging of the North Sound. He knows that there was a channel proposed, and has been for years. He knows, Madam Speaker, that we stopped it and I said the reasons why. Not that I don't believe in it, not me personally. Of course, not everybody in Government believes in it, but that is democracy. And he knows, Madam Speaker, that we said before any such project would go ahead there would be the relevant impact studies, environmental and otherwise.

He knows the same thing about East End. And he knows that that . . . none of them had Government's agreement. He knows that.

Then, Madam Speaker, the Member went on in his Motion to say that before committing to or approving any project, which is likely to have major economic environmental or social impact that it will, tell the people of the Cayman Islands what the plan involves. Madam Speaker, where was that Member when they sat in Cabinet privately in January of 2009 and signed an agreement with Fujigmo Limited. That

is better known as the 'Mike Ryan Agreement', where they gave all kinds of concessions, Madam Speaker, Nine points of reductions, or waivers, of duty. Nine points! Millions of dollars! Ten (10) per cent on all residential construction materials; 10 per cent for eight years from the date of execution of the main agreement, and on and on, Madam Speaker. On and on! Removal and reconfiguration of the shoreline of the whole project. And that man has the audacity now to caution—not caution—to outright practically accuse Government of not doing the right thing.

What the plan involves? Where was he when this was happening? He was part of the Cabinet that agreed for it!

Number 2) Obtain and publish an independent and objective feasibility study; 3) Obtain and publish an independent and objective economic impact assessment; and 4) Obtain and publish an independent and objective environmental impact assessment.

Madam Speaker, he didn't even do that with the Government money that they were spending on so many millions of dollars. They didn't even do that with government's money, much less with the private sector which the Government might give a concession to, and might get something back from. And he has the temerity, he has the audacity to stand in this honourable House to accuse us of not doing the right thing? What is, Madam Speaker?

What I intend to do with this Motion is where it ought to go; that is to tear it up and throw it in the wastepaper basket. Because, the things that he is talking about will come out. God only knows what he will say when he gets up.

What the Government has done, Madam Speaker, in most instances, is to sign a Memorandum of Understanding; that is to negotiate the discussion of various items, heads that would become an agreement. And once we reach the end of those discussions, then there must be cost analysis if Government is going to give away something. There must be environmental impacts if Government is going to give agreement for the digging or removal of something from any particular aspects of the Queen's bottom for instance.

What is he talking about, Madam Speaker? *Proper discussion, proper agreement by Cabinet.* When these matters go to Cabinet there will be proper discussion and the agreements will receive the right authorisation. But there is nothing that says . . . and that is what we ought to do first. We ought to sit and look at the various aspects. And they did this, Madam Speaker, because the agreement that they signed with the Mike Ryan Group said that the Government and the developer had entered into a non-binding heads of agreement. With regard to the property, the developer and the Government are now desirous of entering a formal binding agreement so as to create binding obligations on the parties with regard to the

various matters set out in the heads of agreement. And he has the audacity to come and chastise me to tell me about we are signing Memorandums of Understanding? Head of Agreement or Memorandum of Understanding; no matter what it is called, it is the same thing. Same thing! The only difference is, Madam Speaker, this was done in secrecy. Nobody knew about it. Up until now they have not explained it to the whole world!

Madam Speaker, what we are doing is put out to one and all. There is no secret about it. Before we can get it out, as I said yesterday, they put it on somebody's car windscreen, as they call it, or under somebody's door. They do not even give us time to go out and be able to explain it before we can get it signed. Madam Speaker, it just shows you the real situation in this country and the kind of politicking that is going on, and that the kind of political manipulation of the public service in the country that has gone on that they can now do these kinds of things with impunity and get away with it! Because it has got to be them doing this! Nobody else has this kind of information before we can get out and explain to the public. And he has the audacity to come and talk about that we must obtain and publish an independent and objective environmental, economic impact assessment and feasibility studies?

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: Did he do of them?

As I said, Madam Speaker, that is just one. I am not going to take up the time because we intend to move out of here pretty quick tonight. I am not going to take up the time because we are not going to support this. This is just being political and nasty and dirty as you can be!

We are trying in everything that we are doing to turn this economy around, and we will do it legally and correct. But the public and this country, legislators and Opposition Members, and one and all, have to give us, to get to that point where we can come with the agreement and bring to the Legislative Assembly, where we can go to the Cabinet and go through the right regulatory procedures, Madam Speaker. So stop doing these things, Madam Speaker, to make the country believe that we are doing something that is not right.

Madam Speaker, I just named out one. Ask him where that Heads of Terms of Agreement is! Where is it! Did he make it public? Where are the impact studies on this huge agreement which is millions of dollars, which the public had to give up? Where is the independent and objective feasibility study? Where is the independent and objective economic impact assessment? And where is the independent and objective environmental impact assessment? Be-

cause this is going to tear up much of the Queen's bottom, this agreement, the same one that they mentioned last night, that the Member for Cayman Brac mentioned. I will have more to say about this tomorrow though.

But, Madam Speaker, we can't accept this. We are and will do these things but we are not going to accept it because that Member in his usual dirty stinking ways—

The Speaker: Watch your adjectives please.

The Premier, Hon. W. McKeeva Bush: The adjectives are not so bad, Madam Speaker.

The Speaker: Yes, you need to tone those down.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: But I will bow to your ruling, Madam Speaker.

The Speaker: Thank you.

The Premier, Hon. W. McKeeva Bush: Madam Speaker, the Member has no grounds to challenge Government on our Memorandums of Understanding because we have not gotten to the point where we can sign anything. And when it is to be signed it will be done in the correct procedure.

All we want to do is the right thing and we are going to do the right thing, get the right things for this country. This, Madam Speaker, is going to go in the wastepaper basket.

Serjeant, bring that basket here.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: No. I want that one that is down there by them.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: That is where it goes [crumpling paper], in the wastepaper basket.

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

If not, I am going to call on the mover of the Motion to reply.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, I don't know that that rant by the elected Leader of this country ought to even be dignified with a response.

The Premier, Hon. W. McKeeva Bush: No! You sit down. You just sit down. [inaudible]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: But, Madam Speaker, as we have all sadly come to know, anytime anyone suggests anything which the Premier believes might somehow prevent him from exercising his almighty power and judgment without any regard to anything or anyone, he becomes as he just did—ripping up a Private Member's Motion and calling on the Serjeant to bring a waste-paper basket to dispose of it.

[inaudible interjection]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: That, Madam Speaker, is indicative of the way the Premier operates and manages this country. Anyone who suggests anything which is not in keeping with his way—

The Premier, Hon. W. McKeeva Bush: No, not in keeping with what you ought to have done and what you know is supposed to be way in what we are doing. We are doing the right thing.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: —he just destroys whatever it is they have said. Whatever it is they have written, he describes in adjectives which are (to put it charitably) not parliamentary because it does not meet his will.

So be it, Madam Speaker. I would have thought though, Madam Speaker, that the Premier might have been a bit more repentant given the experiences that he has had in relation to trying to force down the collective throats of the people of this country, huge projects with huge implications, with little or no thought having been given to the long term ramifications, the only consideration being the almighty dollar.

Madam Speaker, he trots out an agreement reached by the Administration of which I was a part before we left office. He says: *Well, they had Heads of Agreement; we have Memorandums of Understanding, what is the difference?* The difference is that the Heads of Agreement which were signed in relation to that and every other arrangement we had, had the approval, the collective approval of the Cabinet—

The Premier, Hon. W. McKeeva Bush: And we do so too.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: —of these Islands.

I don't know, Madam Speaker, who invented this creature called the 'Ministerial MOU'. I am told from various sources that the reason that has been developed is because there are people within the

Cabinet, there are Ministers within his Cabinet who don't agree with what he is proposing to do so he just goes out and signs an MOU on behalf of the Ministry which he has responsibility for.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: That's right.

[inaudible interjection]

The Premier, Hon. W. McKeeva Bush: Say anything.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, this Motion suggests entirely reasonable propositions; ones that would have benefit for this country which would enable the populace of this country to make sound judgments about whether this project ought to go ahead, or whether it should not go ahead.

The Premier and other Members on that side are fond of saying: *Everything that we suggest the Opposition kicks up a ruckus about it and they stir up the population and everybody is opposing us.* The Minister of Education said yesterday: *Everybody is harassing us. There are all sorts of harassment.* It is generally, Madam Speaker, because people are afraid of what is being proposed. In many instances it may well be because they don't have sufficient information to make the judgment.

[inaudible interjections]

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: And they believe, Madam Speaker, that the Government is rushing head-long into major commitments for the country which have all sorts of implications—environmental, social, economic—without having thought the thing through properly. Because the only consideration is how much they believe can be derived in terms of income or revenue from the particular project.

So, Madam Speaker, no other Member on that side has spoken on the Motion. What the Premier says is law. And so, Madam Speaker, that is the way the country is generally run—a one-man show. But, Madam Speaker, the Motion is on the floor. I have introduced it, I have explained it, I have done my best to respond to what the Premier has had to say and now, Madam Speaker, we will take the vote.

Thank you.

The Speaker: Thank you, Honourable Leader of the Opposition.

The question is: Now Be it Therefore Resolved That the Government undertakes that before committing to or approving any project which is likely

to have major economic, environmental or social impact that it will:

1. Tell the people of the Cayman Islands what the plan involves;
2. Obtain and publish an independent and objective feasibility study;
3. Obtain and publish an independent and objective economic impact assessment; and
4. Obtain and publish an independent and objective environmental impact assessment.

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

Ayes and Noes.

The Speaker: The Noes have it.

Hon. Alden M. McLaughlin, Jr., Leader of the Opposition: Madam Speaker, may we have a division?

The Speaker: Madam Clerk.

The Clerk:

Division No.5–2011/12

Ayes: 3

Hon. Alden M. McLaughlin, Jr.
Mr. Kurt D. Tibbetts
Mr. D. Ezzard Miller

Noes: 7

Hon. W. McKeeva Bush
Hon. Rolston M. Anglin
Hon. Michael T. Adam
Hon. Mark Scotland
Hon. Cline A. Glidden
Mr. Ellio A. Solomon
Mr. Dwayne Seymour

Absentees: 5

Hon. Juliana Y. O'Connor –Connolly
Capt. A. Eugene Ebanks
Mr. Moses I. Kirkconnell
Mr. Anthony S. Eden
Mr. V. Arden McLean

The Speaker: I'll deliver the results of the division now—3 Ayes, 7 Noes, [5] absentees.

Private Member's Motion No. 3-2011/12 has failed.

Negatived by majority on division: Private Member's Motion No. 3–2011/12 failed.

ADJOURNMENT

The Speaker: I think this is a good time to call for a motion for adjournment and we can continue the rest of this business tomorrow.

The Premier, Hon. W. McKeeva Bush: Madam Speaker, we propose to adjourn at this time and the

balance of the business which is on the Order Paper will be carried forward to tomorrow's Order Paper.

Personal Explanation—Signing of MOUs

The Premier, Hon. W. McKeeva Bush: Madam Speaker, I need to just say briefly (and thank you for the opportunity) that the Leader of the Opposition has many, many times said in this House and outside that I am doing things all by myself. Madam Speaker, I don't sign any MOUs that are not briefed with Ministers. And as I said, Madam Speaker, when an agreement is about to be signed then that will go to Cabinet. I have never done anything in this country by my own. We do not agree, but I always have a majority. That's democracy.

So, Madam Speaker, I thank you for that personal explanation and we adjourn.

The Speaker: We need a motion to adjourn.

The Premier, Hon. W. McKeeva Bush: That's what I am saying.

I adjourn this honourable House—

The Speaker: You do not adjourn it. You have to make the motion to adjourn.

The Premier, Hon. W. McKeeva Bush: Madam Speaker, I move that this honourable House be adjourned until tomorrow at 10.00 am.

The Speaker: The motion is that this honourable House do adjourn until tomorrow at 10.00 am. All those in favour, please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

At 7.55 pm the House stood adjourned until 10.00 am, Friday, 9 September 2011.

