

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**21 FEBRUARY 2011**  
**10.00 AM**

*First Sitting*

*Swearing-in of New Leader of the Opposition*

**The Speaker:** I will ask The Honourable Premier to say Prayers this morning.

**PRAYERS**

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

*Lord we ask also that you remember our Cabinet Secretary and his family this morning as they grieve; and all other persons who grieve. We ask, Lord, that you would especially now give us patience, give us understanding, and let our hearts confirm to what we have to do as nation builders. Lord, we ask for that guidance in all that we do and say. All this we ask for Thy great Name's sake.*

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

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

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

**ADMINISTRATION OF OATHS  
OR AFFIRMATIONS**

**OATH OF ALLEGIANCE**

*(Administered by the Clerk)*

*By Ms. Cheryll M. Richards*

**The Speaker:** Ms. Richards.  
Shall we stand?

**Ms. Cheryll M. Richards:** I, Cheryll Melanie Richards, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** The House welcomes Ms. Richards.  
Would you please take your seat as the Attorney General this morning?

**Suspension of the House to allow His Excellency  
the Governor to enter the Chamber  
of the Legislative Assembly**

**The Speaker:** I am going to suspend the House at this time to escort the Governor in to deliver the Instrument of Appointment to the Leader of the Opposition Party, Mr. Alden McLaughlin, Jr., MBE, JP.

The House is now suspended.

Please stay in your seats.

Thank you.

**Proceedings suspended at 10.10 am**

**ARRIVAL OF HIS EXCELLENCY THE  
GOVERNOR**

**Presentation of Instrument of Appointment to Mr.  
Alden M. McLaughlin, Jr., MBE, JP, to be the  
Leader of the Opposition with Effect From 21st  
February 2011**

**By His Excellency, Mr. Duncan Taylor, CBE**

**His Excellency, the Governor, Mr. Duncan Taylor, CBE:** Please be seated.

**The Speaker:** I now invite His Excellency, the Governor, Mr. Duncan Taylor, CBE, Governor of the Cayman Islands, to administer the Instrument of Appointment making Mr. Alden M. McLaughlin, Leader of the Opposition party in this House.

Thank you.

**His Excellency, the Governor, Mr. Duncan Taylor, CBE:** [microphone not turned on or not speaking directly into microphone]

Greetings: In exercise of the powers conferred upon me by Section 68 of the Cayman Islands Constitution Order 2009, and all other powers in that regard in England, I, Duncan Taylor, CBE, Governor of the Cayman Islands, do hereby, by this instrument given under my hand with the public seal, appoint you the Honourable Alden McNee McLaughlin, Jr., MBE, JP, to be the Leader of the Opposition.

Given under my hand with the public seal of the Cayman Islands at George Town in the Island of Grand Cayman, the 21<sup>st</sup> day of February in the year of our Lord 2011, in the 60<sup>th</sup> year of the reign of Her Majesty Queen Elizabeth II.

*[Applause]*

### Departure of His Excellency the Governor

#### Proceedings resumed at 10.15 am

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

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

**The Speaker:** I have no messages this morning. But as Speaker of the Cayman Islands Legislative Assembly, it is my great privilege and honour to welcome Mr. Alden McLaughlin (and I am calling his name for record purposes), the Third Elected Member for George Town, Leader of the PPM Party in the Cayman Islands, as the new Leader of the Opposition in the Legislative Assembly.

Mr. McLaughlin, welcome.

If anyone else would like to make a comment at this time, I will allow it.

Mr. Premier.

### CONGRATULATIONS AND CONDOLENCES EXPRESSED

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, I particularly rise to offer condolences to the Cabinet Secretary and his family on the loss of his 29 year old son just a few days ago.

Madam Speaker, he is not a Member of this House but he is the Cabinet Secretary of these Islands and I think it appropriate to record our condolences on behalf of all Members of this honourable House, for the tragic loss of the Connor family.

In so doing, also, Madam Speaker, I can tender congratulations to the new Leader of the Opposition.

**The Speaker:** Mr. Tibbetts.

**Hon. Rolston M. Anglin:** Madam Speaker.

**The Speaker:** Minister of Education.

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

Madam Speaker, as this is the only appropriate point on the Order Paper, I would also like to rise and officially offer, on behalf of yourself and all Members of this House, the staff here at the Legislative Assembly, our condolences to the Honourable Premier and his entire family in the tragic loss of his daughter several weeks ago. This is the first time the Assembly has met since then and I think it is only appropriate that we record this in the Assembly.

**The Speaker:** Thank you.

First Elected Member for George Town.

**Hon. D. Kurt Tibbetts:** Thank you very much, Madam Speaker. I will get used to that quite readily.

Madam Speaker, first of all, let me personally also offer condolences to the Honourable Premier and to the Cabinet Secretary for the loss that they and their families have endured. And, certainly, while one is fresher than the other, they both are tragic and painful events for families to endure. I pray God's blessings on them as the days and weeks ahead pass.

Madam Speaker, just very quickly, I want to offer my personal congratulations to the new Leader of the Opposition. Certainly, the transition, in my estimation, has been smooth. I believe that the timing was correct, and I do believe that the new Leader of the Opposition will certainly bring fresh ideas, new vigor, and also a new flavour (if I may use that term) to the politics of the day.

My colleagues certainly will be able to speak for themselves, but I wanted to take this opportunity to give him my personal assurances that I will certainly give him all the support that he wishes and that he will need. And I am certain that I speak for many others when I say that.

I want to welcome him.

Madam Speaker, if you noticed I have not changed my seat yet; we will sit and talk about that to make those proper arrangements so that you do not have to intervene.

Welcome, Mr. Leader of the Opposition, sir.

**The Speaker:** Thank you.

Would you wish to reply sir?

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

Good morning.

Madam Speaker, I want to start by thanking those who have come unusually to the House this morning just for this very short occasion. Thank you all very much for being here.

I want to also extend my personal condolences on the record to my good and dear friend, Or-

rett Connor, the Cabinet Secretary, on his tragic loss.

And for the record, to record the condolences of the Opposition, each Member of whom I am aware has already spoken personally to the Premier and his wife regarding the tragic loss of their daughter a few weeks ago.

Madam Speaker, I want to extend my thanks to my colleagues on the Opposition Benches for their support, cooperation and assistance as we have gone through this process of transferring the leadership of a political party—the first time it has ever occurred in these Islands. And I know all Members here are aware of the significance of that exercise and the precedent which it has set. And we have, understandably, been very careful about how we have gone through that process because we are aware of its significance in the politics of these Islands.

Madam Speaker, I spoke at length at the Party conference about the way I see this job of mine unfolding and the things that I believe I have to do over the course of the next little while. And this morning is not the occasion for any of that. I just wish, on this occasion, to pledge my continued cooperation and assistance to you, Madam Speaker, in the conduct of the proceedings of this House, and to pledge, again, my allegiance to these Islands and to the people whom I represent, and, by extension, Madam Speaker, the people whom the Members of the Opposition also represent.

I want to thank, Madam Speaker, all Members who have offered me support, encouragement and congratulations this morning, including the Member for North Side. And I trust, Madam Speaker, that we can continue to conduct the business of this House—difficult as it is most of the time, and rancorous as it can become at times—in the best spirit of collegiality, in the best spirit of cooperation that we can, understanding always that it is our collective responsibility to represent the interest of all the people of these Islands and to continue to work to move the Cayman Islands forward, particularly in these most difficult and trying of times.

So, Madam Speaker, I thank you for your indulgence allowing this procedure this morning to occur, and for the opportunity to address the House and those within the sound of my voice.

Thank you very much, Madam Speaker.

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

Honourable Premier, would you like to welcome our guests, Lord and Lady Naseby.

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, I would prefer that you offer that welcome as the Speaker. I certainly will say to our guests at another point.

## READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

### Distinguished Guests

**The Speaker:** Thank you.

In the VIP Gallery this morning we have two distinguished visitors, Lord and Lady Naseby. We want to welcome them especially to this sitting of the Legislative Assembly. We hope you will enjoy your stay in the Cayman Islands.

Thank you.

## PRESENTATION OF PAPERS AND OF REPORTS

### Electricity Regulatory Authority Financial Statements for the year ended 30 June, 2010

**The Speaker:** Honourable Deputy Premier.

**The Deputy Premier, Hon. Juliana Y. O'Connor-Conolly:** Madam Speaker, I beg to lay on the Table of this honourable House the Electricity Regulatory Authority Financial Statements for the year ended 30 June, 2010.

**The Speaker:** So ordered.

### Water Authority of the Cayman Islands Annual Report for the 2008/09 Financial Year

**The Speaker:** Honourable Deputy Premier.

**The Deputy Premier, Hon. Juliana Y. O'Connor-Conolly:** Madam Speaker, I beg to lay on the Table of this honourable House the Water Authority of the Cayman Islands Annual Report for the 2008/09 Financial year.

**The Speaker:** So ordered.

### Financial Statements of the National Roads Authority for the years ended 30 June, 2005, 2006, 2007, 2008, 2009 and 2010

**The Speaker:** Honourable Deputy Premier.

**The Deputy Premier, Hon. Juliana Y. O'Connor-Conolly:** Madam Speaker, I beg to lay on the Table of this honourable House the financial statements of the National Roads Authority for the years 30 June, 2005, 2006, 2007, 2008, 2009 and 2010.

**The Speaker:** So ordered.

**Annual Report of the Ministry of District Administration, Planning, Agriculture and Housing for the 2005/06, 2006/07 and 2007/08 Financial Years**

**The Speaker:** Honourable Deputy Premier.

**The Deputy Premier, Hon. Juliana Y. O'Connor-Conolly:** Madam Speaker, I wish also to lay the Annual Reports of the Ministry of District Administration, Planning, Agriculture and Housing for the years 2005/06, 2006/07, 2007/08.

**The Speaker:** So ordered.

**Cayman Islands Airports Authority Financial Statements for the Year ended 30 June, 2009**

**The Speaker:** Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Cayman Islands Airports Authority Financial Statements for the year ended 30<sup>th</sup> June, 2009.

**The Speaker:** So ordered.

**Financial Statements of Cayman Turtle Farm (1983) Limited – 30 June, 2007 and 2008**

**The Speaker:** Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Financial Statements of Cayman Turtle Farm (1983) Limited – 30 June, 2007 and 2008.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak on that?

Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, I will be making a substantive statement further in the meeting.

**Cayman Islands National Insurance Company (CINICO) Annual Report 2009-2010**

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

**Hon. J. Mark P. Scotland:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Cayman Islands National Insurance Company (CINICO) Annual Report 2009-2010.

**The Speaker:** So ordered.

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

**The Speaker:** I have no statements from Honourable Ministers and Members of the Cabinet.

**GOVERNMENT BUSINESS**

**BILL**

**FIRST READING**

**Labour (Amendment) Bill, 2011**

**The Clerk:** The Labour (Amendment) Bill, 2011

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

**SECOND READING**

**Labour (Amendment) Bill, 2011**

**The Clerk:** The Labour (Amendment) Bill, 2011.

**The Speaker:** Honourable Minister of Education, Training and Employment.

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

Madam Speaker, I beg to move the Second Reading of a Bill that is shortly entitled, The Labour (Amendment) Bill, 2011.

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

Honourable Minister of Education, Training and Employment.

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

Madam Speaker, this Bill is one of those issues, or represents one of those issues, that has long been talked about by Members of the House, as it deals with this whole matter of the capping (in three instances) of amounts employees are able to be paid at 12 weeks (that is, a week for each year served with an employer, and it is capped at 12 weeks).

This Bill seeks to recognise all the years of service by employees to their employers. And so, Madam Speaker, if an employee has worked with a foreign employer for greater than 12 years, and met, for example, all of the requirements as spelled out in section 55(3) of the Labour Law, which deals with a person's award of compensation as issued under the

power of the Labour Tribunal as remedies for any unfair dismissal. It gives the capacity to recognise all of their years of service. So, if the person has worked 20 years they get a week for each of those 20 years. [It is] not arbitrarily capped at 12 weeks.

It also deals specifically in section 47 of the current Labour Law as it relates to retirement and resignation allowances. Madam Speaker, in that section of the Law any person who is eligible for an award upon resignation and retirement, and has not had a pension contributed for them (that is, the one carved out in section 47), they, too, would have the benefit of the lifting of this cap.

Madam Speaker, that is probably the one section that would cause Members to question whether lifting the cap would assist them or not, because, in theory, all persons in the country have pension contributions being made on their behalf. However, Madam Speaker, believe it or not there are people out there who are working who were 60 in 1998. Therefore, they have not had the benefit of pension contributions being made on their behalf and they are still working today.

I was reminded of that just several short weeks ago when I received a call from a lady who is now 76 years old—still working. She was inquiring about what her benefits would be. As she saw it, she fell in that gap—that is, she was already 60 when the National Pensions Law came into force. She has not been receiving (what is now) 5 per cent contributions, but she is still employed and she has now gone beyond 12 years with the same employer. And so, naturally, lifting this cap will be of benefit to her when she does retire one day.

She is . . . as is the case, it is a small number, admittedly, but there are a number of amazing individuals out there, Madam Speaker, who, even at that age, simply, for whatever reason, cannot or do not want to retire; they want to continue working. And their employers have been happy to have them continue working.

Madam Speaker, ultimately, it is the Government's view that persons in that situation should be entitled to this benefit for every year that they have been employed. In other words, Madam Speaker, they have (as some have put it to me) earned it. And so, if they have earned it, then they should be eligible to receive the benefit from staying with one employer for greater than 12 years and not have the Law arbitrarily place a cap on the benefit that they would receive.

Madam Speaker, the Bill also seeks to lift the cap as it relates to the computation of severance pay. Again, it is running along the same principle that if an employee put the time in and worked beyond the 12 years they should be eligible to receive the benefit for every year worked. Now, Madam Speaker, there may be those who would say that this section of the Law has been one that no business has accrued and accounted for in their day to day activities. Well, Madam Speaker, certainly, that is the case, I am sure, even

up to 12 weeks. And so I do not believe that that argument holds any great degree of merit to cause the Government to not make this move.

Madam Speaker, if you look at the profile of our labour force you will see that at this stage this benefit is not going to necessarily have an impact on a very wide number of people, because the fact of the matter is, most people are not necessarily being employed by the same employer that they have been employed by for greater than 12 years at this stage.

So, Madam Speaker, I believe, the Government believes that this is the right thing to do as it follows, logically, that if an employee has contributed greater than 12 years of service, they should be, in all three sections of the Labour Law, eligible to receive the benefit of their labour.

Again, Madam Speaker, this Bill would have impact on section 41, which deals with the computation of severance pay; section 47, which deals with resignation and retirement benefits that accrue to employees; and section 55, which deals with the whole matter of remedies available for unfair dismissal.

As it relates, Madam Speaker, to whether or not Government should leave these provisions standing and not seek to make this amendment, I believe that oftentimes we get caught up in trying to come up with more wholesale changes to legislation which inevitably takes a lot more time and would be a lot more involved. And so, Government took the view that whilst we are working at producing a white paper that will obviously be available to the public for discussion on a number of what we believe are wide-ranging, non-controversial, but important amendments to the Labour Law, we ought not to wait when there are some obvious and glaring issues such as this one.

Madam Speaker, the Government is also well aware that in these difficult times we not do anything that is going to lay a heavier burden on businesses that would cause tremendous strain. And so, in looking at this very carefully, and in getting the data—or the best data we could, I should say—on what the profile of our job market looks like, we felt that this was one of those amendments that we could safely make at this point in time, and be one that we believe would be of benefit to those members of the public, those workers who find themselves in this situation (that is, either being made redundant, up for retirement, or unfairly dismissed).

I believe, Madam Speaker, that this Bill is one that ought to attract the support of this entire House, so I look forward to other Members contribution to the Bill.

**The Speaker:** Thank you, Honourable Minister for Labour.

Does any other Member wish to speak?  
[pause]

Elected Member for North Side.

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

Madam Speaker, I rise to support the changes to the Labour Law as proposed by the Government, in particular the lifting of the 12-week limit.

Madam Speaker, if my memory serves me correctly, there were no real economic calculations or justifications done when that 12[-week] limit was put there. It was part of the giving and taking between those who opposed the introduction of labour legislation in the 80s and those who were trying to introduce labour legislation in the 80s, and it was a compromise that was worked out at that time.

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** Madam Speaker, the only concern I have with what the Government is doing, is in clause 3 the Bill speaks to an amendment to 47(1). And I have heard what the Minister, who is bringing the Bill, has just said, and I agree with him that there are people who have never been eligible to contribute to a pension plan that are affected. There are also, Madam Speaker, I believe, some workers who are affected by what 47(1)(c) does, which says that basically a person cannot get that resignation benefit if they are entitled to a pension under the National Pensions Law.

Now, Madam Speaker, pension is a relatively new thing to this country. It has been in place a little bit over a decade, 10 to 12 years (I think something like that), and there are workers that I am aware of who have worked for companies for 25 and 30 years. Now, I would ask the Government if they would wish to consider some amendment to that clause that would allow a formula whereby, for instance, if a person has worked for the 20 years but has only contributed to a pension plan for the last 10 years—and we know that the rates of contributions and the styles of management that is applied to local pension plans, that the pension the person is going to get is going to be relatively small . . . whether we can make an amendment that would suggest that if the person has been contributing for 10 of those 20 years, they would be entitled to the years they have worked for this payment during which they were not provided with the opportunity to contribute to a pension plan.

Madam Speaker, the House is well aware of the desire I have to see a national minimum basic wage introduced to this country. I have tried to do so on two separate occasions. And, since we are talking about compensation in one form or another that people are offered as part of their employment package, because, Madam Speaker, severance pay and such matters are directly related to what one earns for an honest day's work.

So, Madam Speaker, with your permission, and in accordance with Standing Orders, I intend to introduce an amendment to this Bill at the Committee stage that will, in fact, establish a national basic minimum wage.

## Point of Order

**Hon. Rolston M. Anglin:** Madam Speaker, on a point of order.

**The Speaker:** Yes, Minister of Labour.

**Hon. Rolston M. Anglin:** Madam Speaker, this Bill seeks to amend sections 41, 47 and 55 of the Labour Law. How is it possible, under the rules of the House, to have an amendment that is completely outside the scope of the Bill? The amendment must be to the Bill, not to the Labour Law.

**The Speaker:** Honourable Minister, you drew that to my attention this morning, and I have been going through the Standing Orders. You appear to be correct on that issue.

Elected Member for North Side?

**Mr. D. Ezzard Miller:** Madam Speaker, with the greatest of respect to the Minister moving the [Bill], the only possible clause he could be talking about would be 52(3) which talks about amendments being related to the subject matter. And certainly, an amendment to his Bill which would introduce a basic minimum wage is under the subject of labour and compensation.

And, Madam Speaker, I would remind you that I have done so on two occasions since I was elected to this Honourable House in May. I have moved amendments to Bills [in] a similar fashion, trying to form an image. I've done it to the Penal Code where I offered an amendment . . . which were both voted down by the Government, and they have the opportunity to do that this time as well. But, that asked for a new clause which made it an offence to employ somebody below a new wage to the Bill that the Government was bringing. I did it to the Immigration Bill that the Government brought to introduce a new clause to make an amendment that you could not employ or offer a work permit to somebody below a certain wage.

So, Madam Speaker . . . and this precedent goes a l-o-n-g way back. The current Premier did this under the Traffic Law way back in the 80s to remove the restrictions on motorbikes. So, I think there is a lot of precedence in the House for amendments to bills to deal with new matters related to the subject.

**Hon. Rolston M. Anglin:** Madam Speaker.

**The Speaker:** Minister for Labour.

**Hon. Rolston M. Anglin:** Madam Speaker, I don't know where the lots of precedence come from. All I can say is, if there have been two wrongs committed by the Member for North Side, the third one won't make it right.

This Bill deals with the lifting of the 12-week cap. The way this House works and Houses work is that the bills that are before the House, any amendment must be on the substantive bill.

You see, Madam Speaker, this House must ensure that the way in which it is run gives the public every opportunity to ensure that their House is orderly and allows them—the public—to give feedback; allows them—the public—to have their 21 days; allows them—the public—to know what their elected Members are up to.

So, Madam Speaker, this whole thing about these two other cases . . . I don't know how those slipped through the cracks, but—

*[inaudible interjection]*

**Hon. Rolston M. Anglin:** *[replying to the interjection]*. Absolutely!

And, Madam Speaker, these matters are important matters; matters that must be dealt with in the responsible way that the public surely expects us to deal with them.

Madam Speaker, I heard reference to this and I think it is very, very important that we make it very clear about the procedure that is allowed in this House as it relates to the business that makes it to the Floor, and/or to any committee of the House. I will be happy to debate any subject. And the Government is happy to debate any subject that is put to this House in the way in which it should be put to the House.

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

**Mr. D. Ezzard Miller:** Madam Speaker, it is music to my ears to hear that the House—

#### Point of Order

**Hon. Rolston M. Anglin:** Madam Speaker, on a point of order, can I find out under which Standing Order the Elected Member for North Side is rising? Because I don't know of any debate.

**The Speaker:** He is continuing his debate.

**Mr. D. Ezzard Miller:** I am on the Floor, you are not!

**Hon. Rolston M. Anglin:** He concluded.

**Mr. D. Ezzard Miller:** You're talking about rules?

**Hon. Rolston M. Anglin:** He concluded.

**Mr. D. Ezzard Miller:** I am on the Floor, you interrupted me. I am entitled to speak. You are not entitled to speak twice!

**The Speaker:** Member for North Side, please continue your debate.

*[inaudible interjection]*

**The Speaker:** And I will ask you all to refrain from comment.

*[inaudible interjections]*

**Mr. D. Ezzard Miller:** Madam Speaker, as I was saying, it is music to my ears to hear that the Government at long last has heard that we have some rules to this House, and that the rules are not what "I do today", and whatever they wanted to do, that's the rule.

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** Just at this instance the Member rose to interrupt me. He is entitled to speak once, Madam Speaker, not twice.

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** *[Replying to the interjection]* Huh?

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** And in his case I don't care how many wrongs it is, we can't make it right.

But you know—

**The Speaker:** Please continue your debate on the Bill before the House.

**Mr. D. Ezzard Miller:** Yes, Madam Speaker.

When it comes to the Committee stage if you and the Government wish to vote the amendment down as they—

**The Speaker:** I do not vote in this House.

**Mr. D. Ezzard Miller:** Not you, Ma'am. I'm getting to you next Ma'am.

If you wish to rule as Chairman of the Committee, that the Bill or the amendment—which has been approved and circulated in accordance with Standing Orders. But at Committee stage, Madam Speaker, as Chairman of the Committee, if you wish to rule at that stage that I can't bring the amendment, I will accept your ruling. But in the meantime, Madam Speaker, I am really overjoyed. And I hope that the whole country is listening to the commitment just given to us by the Minister that we are going to follow the rules, because that's what I'm all about, Madam Speaker—rules.

So, Madam Speaker, at the Committee stage, at the risk of not bending the rules and trying to debate my amendment at this stage, I will leave the debate for the amendment to the Committee stage. And I trust and hope that you, as Chairman, will allow it.

Thank you, Madam Speaker.

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

Honourable Leader of the Opposition.

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

Madam Speaker, I rise to indicate the support of the Opposition Bench to the amending Bill, which has been moved by the Minister and spoken to at some length.

Madam Speaker, we also share the concerns and give support to the position of the Member for North Side with respect to his concerns about section 47(1)(c) that relates to the pensions aspect of the matter. Because, for reasons which he has articulated quite well, and I need not reiterate, there are those circumstances (which he has outlined) where people windup, or could possibly windup getting no severance and getting no pension either. And so, Madam Speaker, I hope that between now and when the Bill goes through its third reading, the Government would be prepared to look at that matter and perhaps during the Committee stage we can agree an acceptable amendment to avoid that unhappy circumstance from occurring.

With those few words, Madam Speaker, I again indicate the support of the Opposition for this Bill.

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

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 call on the mover of the Bill to windup the debate.

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

Madam Speaker, I must say that I am happy to hear that we are all in support of the Bill. I believe that we have, as legislators, done something that is very important. But let me say that the Government's position is one that we have taken after much internal discussion, much internal consideration.

The Backbench Members of the Government were key instrumental in ensuring that this came forward, and came forward at this stage. As I said in my introduction to the Bill, all too often in Cayman we tend to get caught up in trying to bring about wholesale changes to legislation and we lose out on those very single important items and matters that would be of great benefit to our constituents, to the people who elected us and to the people whom we serve.

Madam Speaker, the Fourth Elected Member for George Town, in particular (I must point out in this regard), agitated for this change from very early on in this term. And once we got the facts in regard to what the Cayman Islands labour profile looked like and made the determination that this would not have, in

our estimation, any material impact on businesses, we decided that this was something we had to move on.

Madam Speaker, 47(1)(c) which automatically calls for a person to no longer be eligible for the benefit upon retirement or resignation, is one that we have thought long and hard about because it is an area of concern. And, Madam Speaker, persons who have had a pension contributed on their behalf at a rate of 5 per cent would, in effect (if you just use pure percentages), wind up receiving a benefit of approximately two weeks for every year worked, or just over two weeks for every year worked.

So, trying to amend any problem or issue that might arise to persons in that category is one that would be very difficult to estimate. Because, for example, Madam Speaker, if a person received a pension for six years after the Pensions Law came into effect, they would have already gotten, by way of a benefit, greater than the 12 weeks envisioned in this legislation. In fact, if you have a person that is still working, but a pension had started for them but ceased, there is a calculation that can be undertaken to see where that person could wind up from a benefit standpoint. Certainly, Madam Speaker, this is one area that we thought long and hard about and tried to come to grips with; however, it is one that is difficult to quantify.

However, Madam Speaker, what I can say is that the Government will take a look at this particular provision yet again and see if there is anything else that we might need to do. However, Madam Speaker, it is one that we might need to think carefully about, making any committee stage amendment to at this particular juncture without obtaining the necessary information.

However, Madam Speaker, given the fact that this is one that my colleagues and I have discussed, as I said, for quite some time . . . the Bill was originally drafted late last year and, in fact, it was this very section, section 47(1)(c), that caused us to hold the Bill up for a while because we wanted to look at this a little further.

I would ask, Madam Speaker, if you could take the morning break at this juncture just so that I can confer one last time with my colleagues on this specific section and see if there was anything else that we might be minded to do.

**The Speaker:** Thank you, Honourable Minister.

The question is that a Bill shortly entitled the Labour (Amendment) Bill, 2011 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

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

The Labour (Amendment) Bill, 2011 has been given a second reading.

**Agreed: The Labour (Amendment) Bill, 2011 given a second reading.**

**The Speaker:** I will now suspend for 15 minutes.

**Proceedings suspended at 11.10 am**

**Proceedings resumed at 11.58 am**

**The Speaker:** Please be seated.

Proceedings are resumed.

I apologise for the delay. There were a couple of issues we had to sort out before we came back into the Chamber.

The House will now go into Committee to consider the Bill.

**House in Committee at 11.59 am**

## **COMMITTEE ON BILLS**

**The Chairman:** Please be seated. The House is now in Committee.

With the leave of the House, may I assume that, as usual, we should authorise the Honourable Second Official Member to correct minor errors and suchlike in this Bill?

Would the Clerk please state the Bill and read the clauses.

### **Labour (Amendment) Bill, 2011**

**The Clerk:**

Clause 1	Short Title
Clause 2	Amendment of section 41 of the Labour Law (2007 Revision) – computation of severance pay
Clause 3	Amendment of section 47 – retirement/resignation allowance
Clause 4	Amendment of section 55 – remedies for unfair dismissal

**The Chairman:** The question is that clauses 1 through 4 stand part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 1 through 4 passed.**

**The Chairman:** Before we proceed any further I want to draw your attention to section 50(2) of the Standing Orders: **“A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill, it shall amend the title**

**accordingly and shall report the fact specially to the House.”**

There is an amendment before the House from the Member for North Side and the Committee, in my opinion, has to vote on whether they are going to allow this amendment on the Floor of the House or in the Committee, before it is considered. It says, “. . . **where a committee desires to make any amendment or addition which is not within the title of the Bill . . .**”

**Mr. D. Ezzard Miller:** Madam [Chair].

**The Chairman:** Yes, Minister for Labour.

Oh, I'm sorry, Mr. Miller. I'm sorry, Member for North Side.

**Mr. D. Ezzard Miller:** Madam [Chair], respectfully I would suggest that that clause does not have any bearing unless my amendment is passed. If my amendment is passed then we should amend the title, but not before.

**The Chairman:** That's not what it says.

It says, **“A committee may make such amendments and additions to a Bill as are relevant to its subject matter but [Speaker's emphasis] where a committee desires to make any amendment or addition which is not within the title of the Bill [Speaker's emphasis]. . .”** The amendment that is being offered is not within the title of the Bill at the present time. The Committee needs to vote to consider adding something to the title of the Bill. That's my opinion.

Anyone else wants to offer an opinion on it?

*[inaudible interjections]*

**Hon. Cline A. Glidden, Jr.:** Madam Chair.

**The Chairman:** Member for West Bay.

**Hon. Cline A. Glidden, Jr.:** Madam [Chair], I have been listening to the discussion that has taken place. Just in regard . . . and I know reference has been made to precedent being set. This is a matter of clarity.

When the Government decides to bring a bill it goes to Cabinet and they approve it, it comes down as a Cabinet approved Bill. If we allow a Member to make, with no notice, or with the notice and the acceptance of the Chair, an amendment to that, are we allowing Cabinet to actually fulfill its requirements to then pass that bill, not having gotten it approved by Cabinet without having had the notice that it was there?

So, when a Government bill comes to the Legislative Assembly we assume that it has gotten Cabinet approval for the respective Minister to bring that bill. If the Cabinet decides, and the Cabinet has

gotten approval from the Cabinet and other Members who sit in Cabinet, and it comes to the Legislative Assembly in one form or fashion, and then it is amended, the other Members of Cabinet who do not sit in the Legislative Assembly, but they were a part of that . . . what is it, Madam [Chair], that says. . . I know we have had this discussion about Governor in Cabinet and who makes up Cabinet. It has gotten the Governor's approval, Cabinet has brought it down and then we are amending it.

*[inaudible interjection]*

**Mr. V. Arden McLean:** Madam Chair, if I may.

I hear the Third Elected Member [for West Bay], Mr. Glidden, but there are provisions, in my view, Madam Chair.

For instance, in the Appropriation Bill the Government that runs the country that has the majority, can come here and change those appropriations, even though they were approved in Cabinet. The Opposition, the other side, cannot change it or make any proposals to increase any Head. They can make proposals to decrease, but it is [up to] the Government to accept it.

So, I believe that any bill coming here the Government can move amendments thereto and it still was not approved by their Cabinet because they have the ultimate authority, really.

**Hon. Cline A. Glidden, Jr.:** But Government is not moving this amendment; this is an independent Member who is bringing this movement.

**The Chairman:** Ah—

**Mr. V. Arden McLean:** Understood, and I believe that if the Government accepts it . . . the Opposition can always move amendments to anything, but it is the Government to accept it because they feel comfortable with it and they will go back then and deal with the Governor who has to assent to it. The ultimate authority lies now with the Governor after the LA has done that.

I would draw your attention . . . since we have been here in the 10 years, Mr. Glidden, the Terrorism Bill—

**The Chairman:** Please use his title.

**Mr. V. Arden McLean:** Pardon me.

**The Chairman:** Please use his title, not his name. Not Mr. Glidden. Please say his title.

**Mr. V. Arden McLean:** Oh, Madam Chair, I did not know that that applied to Committees, as well, but anyway.

The Third Elected Member for West Bay . . . I draw his attention to another amendment I see for the

Terrorism Bill that is coming up. And I draw his attention to that. Since we have been here we have overruled Cabinet on that Terrorism Bill and it went back to the Governor and he would not assent to it and he sent it back, and we again overruled and would not pass it here and eventually it was put in place. Re-member?—with the warrants.

*[inaudible interjection]*

**Mr. V. Arden McLean:** ICTA [Information and Communications Technology], I'm sorry, I'm sorry. But it was concerning the Terrorism and part of that. You're right, ICTA.

So anything can be done here, it has to be assented up there at the Governor's.

**Hon. Cline A. Glidden, Jr.:** Madam Chair.

**The Chairman:** Sorry to interrupt.

Section 52(1) says, "**On consideration of a Bill in a committee any Member may move an amendment.**" The question is, is that an amendment to the Bill or an amendment to the original Law. The amendment before the House is an amendment to the original Law. For that to come in it is my opinion that this other section takes precedence. A committee may make amendments but where a committee desires to make any amendment or addition which is not within the title of the Bill . . . If that is . . . and Erskine May bears me out on that. I don't have my copy here but I did research it.

Second Official Member, would you read the relevant section for me please.

**The Premier, Hon. W. McKeever Bush:** But, Madam Chair, while that is taking place, you are absolutely right in what you have said, in that amendments before a committee to a bill must be relevant to the subject matter in the bill. Any amendment must be and where an amendment proposes to be otherwise, (1) it must get the vote of the Government, of course. The second way to go is, as you have outlined, and that is that you can take it from that subject point.

But Erskine May bears up our Standing Orders, and our Standing Orders are not silent. And where our Standing Orders are silent, we refer to the Standing Orders of the House of Commons and Rules and Regulations. And so, I certainly cannot agree that this amendment is before the House to that extent. Amendments must be relevant to the subject matter of the Bill.

Furthermore, Erskine May goes on to talk about inadmissible amendments and, where those are inadmissible amendments, it goes on to say an amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the Bill, or if it is irrelevant to the subject matter or beyond the scope of the clause under consideration.

There has to be sense in what the Chairman of Committee has said.

**The Chairman:** Would you like to add something, Second Official Member?

**Ms. Cheryl M. Richards** [*Temporary Acting Second Official Member*]: Thank you, Madam Chair.

It is correct that generally amendments to bills, which are outside of the scope of the subject matter, or irrelevant to the subject matter, are deemed to be inadmissible and out of order. The only qualification to that, Madam Chair, is, as you referenced, section 50(2) of the Standing Orders which does provide that, **“A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill,”** (the title being defining the scope of the Bill) **“it shall amend the title accordingly and shall report the fact specially to the House.”**

So, it does create under the Standing Orders, or seem to create, a particular exception. But it requires the agreement of the House to create that exception.

**The Chairman:** Okay.

[*Inaudible interjections*]

**The Chairman:** No, that is not what this section 52 says. It does not call the Governor’s name in this at all.

When it is not within the title of the Bill, when you are going to add an amendment or an addition, there is a particular thing to follow. The amendment before the House is an amendment that is not within the scope of the title of the Bill. Do you want to allow this amendment on the Floor of the House for consideration or do you not? That is really the question before the House.

[*Inaudible interjection*]

**The Chairman:** You will vote on it.

**Hon. Cline A. Glidden, Jr.:** But, Madam [Chair], when you say ‘the House’ because we are not—

**The Chairman:** The Committee will vote.

**Hon. Cline A. Glidden, Jr.:** So the Committee will vote whether it goes back. So, then we go back to the House?

**The Chairman:** No, the Committee will vote whether you want to include this amendment and amend the title of the Bill accordingly.

**Hon. Cline A. Glidden, Jr.:** But, Madam Chair.

**The Chairman:** Yes.

**Hon. Cline A. Glidden, Jr.:** Was it not the requirement that it was on the Floor of the House, because we are not in the House now, we are in the Committee?

**The Chairman:** We are in Committee.

**Hon. Cline A. Glidden, Jr.:** Right. So—

**The Chairman:** But the amendment is not going to the Floor of the House, the amendment is coming to the Committee.

**Hon. Cline A. Glidden, Jr.:** But does not the provision there specifically say that it has to come on the Floor of the House?

**The Chairman:** No, it says that if you are going to allow this amendment or an addition, which is not within the title of the Bill, you can amend the title and report the facts especially to the House. In other words, once this has been done, and if it is allowed, the mover of the motion will report that it has been allowed or disallowed to the House.

**The Premier, Hon. W. McKeever Bush:** Madam Chair, there is some confusion, while there is some clarity.

Now, I think the Official Member who responded was reading as much as I have read from . . . or she was clarifying as much as I have read from Erskine May.

The Government will take the matter, discuss, and if Members so desire we can come back after lunch. So, we can, Madam Chair, adjourn if you so desire, come back . . .

**The Chairman:** An adjournment means that we discontinue the sitting of the House today?

**The Premier, Hon. W. McKeever Bush:** Madam [Chair] when I say adjourn I mean take a break.

**The Chairman:** Oh, that’s a suspension.

**The Premier, Hon. W. McKeever Bush:** I’m sorry.

**The Chairman:** Okay.

**The Premier, Hon. W. McKeever Bush:** It will do the same thing. It will stop the discussion. That’s all I can tell you.

**The Chairman:** If Members feel they need further time to discuss this I can suspend the House for the lunch break at this time and we can proceed from there in the afternoon—

**The Premier, Hon. W. McKeever Bush:** Now I can tell the House from my standpoint, but I'm only one Member . . . my vote won't be to move any further with the amendment because I am going to take Standing Orders literally as it says, and I will go to Erskine May as it stays, because we are not discussing something lightly. It will have to go . . . I don't think it is properly before the House so I don't think there is anything to vote on.

*[inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** The Committee I'm talking about. When I say House I mean the Committee. We are in Committee.

**The Chairman:** Yes.

**The Premier, Hon. W. McKeever Bush:** I feel that this is a matter that we must discuss in Cabinet. This is something completely different than what this Bill is. Heretofore that is what always took place, notwithstanding that government changes money back and forward during a sitting of Finance Committee. That's different, we are moving from one Head to the next and the elected Members can do that.

We have a Cabinet that consists . . . Elected Members have the say and the predominance. But we must sit and discuss the importance of what we are doing, how we are going to do it. But to come and bring a substantial amendment without getting all the parameters right . . . and it is not a matter that is not being discussed, by the way. It is just that completion has not been made to it.

So, Members can take that either way they want, but I certainly am not going to agree to this substantial amendment without going through Cabinet.

**Mr. V. Arden McLean:** Madam Chair, may I offer a way forward?

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

**Mr. V. Arden McLean:** Would it not be in the interest of all and sundry that we get the Member who is moving it, to move it? And then it is voted on, since the Government is not inclined to accept it anyway, and the Government [can] explain their position on their reply to the Member's proposition, and then it is voted on, and if the Government is not so inclined the Government has the majority and then we will move on with the Committee.

**The Premier, Hon. W. McKeever Bush:** Madam Chair, I have heard the Member for East End and he is seeking a way forward. But, from our standpoint, this matter is not properly before the Committee. It is irrelevant to the Bill and, therefore . . . the way he outlined first could have been taken. If that is not taken then we don't go anywhere with it, because it is not

coherent, it is not relevant to the subject matter of the Bill.

**The Chairman:** The amendment . . . and I will go through it again. The amendment that is being proposed is an amendment to the *Law*; it is not an amendment to the—

**The Premier, Hon. W. McKeever Bush:** It is!

**The Chairman:** Please do not interrupt me.

It is not an amendment to the amending Bill that is before the Law. It is not within the title of the amending Bill that is before the Law.

The first thing we have to do is decide whether we are going to allow this amendment—that has been circulated and is in the Committee—to be heard now, or whether we are not going to allow it to be heard. And that is the vote I am putting on the Floor of the House.

**The Premier, Hon. W. McKeever Bush:** Madam Chair, if something is irrelevant to the Bill, to the matter before the House, then it is irrelevant! And the Chair should ask that it be withdrawn.

It is absolutely clear of the way forward here. It is irrelevant! Never mind getting to a point where you say if the Committee is so minded. It is irrelevant! It is a matter for the Law. It is not a matter having to do with what is before us; it is a matter that the Law contains in dealing with minimum wage. The whole Labour Law deals with it but this is not before us at this point in time.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair.

**The Chairman:** Yes, Leader of the Opposition.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, the proposed amendment is properly before this Committee.

The Member for North Side submitted well in advance of today's sitting what he proposed to do. It was approved by your good self and the matter is properly before this Committee. It is a matter for this Committee, in my respectful view, to dispose of, and it can be easily disposed of with a vote up or down. I'm not sure why you have this protracted debate.

*[inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, it is absolutely clear why we are going this way. Because the Members who are claiming that it should be before the House just not so long left as government and they probably could have done the same thing. They didn't!

*[inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** I'm not talking about the Member moving, I'm saying . . . and if you want me to be much clearer, the Member [who] just finished speaking, in fact, was minister of Labour!

**Mr. V. Arden McLean:** You had two years.

**The Premier, Hon. W. McKeever Bush:** You never mind having two years. I had more than that and couldn't get it done.

The fact is, Madam Chair (and I am going to stick to my point), this matter—and let me now go further with it, Madam Chair—has no business before the Committee; (I will say that much). Never mind the submission and it being accepted. That was wrong. What needs to be done now is the right thing.

It is irrelevant before us, and it does not need a vote to withdraw it. The Chair needs to decide whether that is so. And the Chair should be mindful of the Standing Orders, or the Member. But the Member maintains that he is right, so he is not going to withdraw it.

So, the Chair needs to be mindful of the relevancy of the matter; that is, the relevancy of what is before the Committee. That is what the Chair needs to decide is important or not important.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, the Premier has, I think, finally given us the clearest indication as to what his objection, and perhaps the Government's objection, to the disposing of this matter in the usual way is—that is, he regards it as a hugely political issue.

But I say, Madam Chair, that this Committee, and certainly you, as the Chairman, ought not to allow those considerations to be imported into deciding what the correct procedure is. And if there is a proposed amendment properly before this Committee, there are three options: either it is withdrawn, or the Committee votes in favour of it or votes against it. But we must dispose of the matter. It just can't be allowed to hang around and engage the Committee in a protracted debate which is actually taking us nowhere at all.

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, if I may, I completely agree with the Member in his last remarks, that this need not be protracted. I would say that this is not the usual way. The usual way is that if something is not properly before the Committee, then it is withdrawn, it is not a vote taken about withdrawing it.

**Hon. Cline A. Glidden, Jr.:** Madam Chair.

**The Chairman:** Yes.

*[inaudible interjection]*

**Hon. Cline A. Glidden, Jr.:** Madam Chair.

**The Premier, Hon. W. McKeever Bush:** But the Chair has to abide by the rules, and the rule is relevancy.

**Hon. Cline A. Glidden, Jr.:** Madam Chair, just because . . . going back to the point my colleague, the elected Member for East End, made. [He made] a reference to what was done before when he talked about . . . and I understand. But I think he was a bit misguided. He made a reference to the legislation that came before.

We all understand that when legislation comes to the House, even if the Government brings it, if the majority of the Members here don't vote for it then it has to go back. It does not mean it is automatically passed once Cabinet does it. But the Government has a responsibility to bring legislation that is relevant to the legislation which came through Cabinet. And that is where the issue of relevance comes forward.

When the amendment came to the House, and the bodies, whether it was the Speaker, the Clerk, whoever looked at it, and saw that it was not relevant, that was the stage for a decision to have been made to say that it is irrelevant so it is not accepted. Now we find ourselves in the situation where it is here, and now we are being asked to vote as to whether it is relevant and whether we should be considering it or not.

That, in no way, can be fair, because what you are doing is making a Member bring a motion knowing full well that the Government has no legal ability to accept it. So, when it comes it has to be refused.

There's no logic or rhyme or reason in doing that, allowing a Member to bring it and then the Government getting up and saying, *We are going to vote against it because we legally can't accept it without going back and getting through our Cabinet, because, it so changes the motion that was approved through Cabinet to come here that it is no longer an acceptance that was given.*

And all we are asking to do is to vote on that just because it is here?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I think we are getting lost in this issue about relevance.

Because, as you said, Madam Chair, and as the Acting Attorney General said, what applies here is Standing Order 50(2), which I will read again: "**A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill,**" (which is the case here) "**it shall amend the title accordingly and shall report the fact specially to the House.**"

So, what now has to happen, in my respectful view, is that this Committee must decide whether or not it desires to make any amendment or addition

which is not within the title of the Bill. And it is that specific aspect that we need to vote on. And if this Committee decides that it does not desire to make any amendment or addition to the Bill, that's the end of the matter and the proposed amendment falls away.

*[inaudible interjection]*

**The Chairman:** It is incorrect to say the proposed amendment is not here before the Committee. Rightly or wrongly, the amendment was approved and placed before the Committee. It was placed before Members of the House. It was circulated to Members of the House. It is before the Committee. Whether you want to allow the amendment to be a part of the proceedings of this Committee today, or whether you want to not allow it, that is the vote we have to take.

**The Premier, Hon. W. McKeever Bush:** No, no, no, Madam—

**The Chairman:** I'm going to suspend the House for the lunch sitting and you all can [inaudible].

**The Premier, Hon. W. McKeever Bush:** Madam [Chair] before you go can we just explain something here?

**The Chairman:** Yes, you can explain.

**The Premier, Hon. W. McKeever Bush:** We are in Committee and we need to set this right, because I am not going to allow the Government to get into a vote for such an important matter without it going through Cabinet. I've said that.

**The Chairman:** That is clearly understood, Mr. Premier.

**The Premier, Hon. W. McKeever Bush:** And, Madam [Chair] it has to be accepted. It is accepted, whether you all believe or not that it is properly before this Committee, it is properly before the Committee in that your offices accepted it and circulated it.

**The Chairman:** Mm-hmm.

**The Premier, Hon. W. McKeever Bush:** But that does not mean that that was right! And what we now know is that it is not right.

Madam [Chair] if I may. Please, we need to explain something here so that one and all understands—it was accepted wrong, it was circulated wrongly, and now it is before the Committee. And we are expected as a Government to vote for something that is totally irrelevant, something that is important to this country, that all of us perhaps want in some fashion; but we have to do it right.

We have to go to Cabinet with this matter. In fact, we are dealing with it right now. But it is not completed and now to do this in a half-hearted way, I can't vote for it to that extent; at least my vote would not go for it. And, as I said, don't expect the Government to do that, Madam [Chair], please.

**The Chairman:** Mr. Premier, nobody is asking the Government to vote for the facts of the amendment or against the facts of the amendment. Nobody is asking that to happen.

**The Premier, Hon. W. McKeever Bush:** You should not ask for us to vote either.

**The Chairman:** What we have here is a matter—

**The Premier, Hon. W. McKeever Bush:** You should withdraw it.

**The Chairman:** I cannot withdraw it because it is not my amendment. The Member says he is not going to withdraw it and it is his amendment. So, there is only one other way to deal with it. We will deal with it by the vote of the House.

*[inaudible interjection]*

**The Chairman:** We will deal with it by the vote of the House!

**The Premier, Hon. W. McKeever Bush:** Well, Madam [Chair]—

**The Chairman:** At this point in time—

**The Premier, Hon. W. McKeever Bush:** I will challenge your ruling, Madam [Chair]! I will!

I will challenge your ruling, Madam [Chair], because when something is not properly before the House it is not for the Government to do. It is the [for the] Chair and the authority of the House to say, *This is not properly before the House. We made a mistake and, therefore, we are going to ask that it be withdrawn.* It is not for us to do to take a vote.

Now, the other side might want Government to vote, and I know why they want Government to vote. Because then they will go back and say . . . and the Leader of the Opposition said a while ago that he understands why. Sure, he understands why! He knows the precariousness of this amendment. He knows what it can or cannot do.

The Government is dealing with this now. It is not properly before the House because it is not done right. It is not the Committee that has not done it right, it is the Clerk's and the Speaker's offices that have not done right. And if they want a vote, then they take it. But it won't be with my vote.

**Hon. Rolston M. Anglin:** Madam [Chair], very quickly on [Standing Order] 50(2) just so we get all the technicalities absolutely right. **“A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill, it shall amend the title accordingly and shall [Minister’s emphasis] report the fact specially to the House.**

He has not re-titled this Bill so that’s—

*[inaudible interjection]*

**Hon. Rolston M. Anglin:** No. But his amendment should have sought a new title. It is under the old title of the Bill.

*[inaudible interjection]*

**Hon. Rolston M. Anglin:** What is there to vote?

**The Premier, Hon. W. McKeever Bush:** There’s nothing to vote and it shall not be approved.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, this is preposterous, really.

But let me just say, Madam Chair, that we do not accept that this matter is improperly before the Committee, nor do we accept that your Office or that of the Office of the Clerk was wrong in accepting the proposed amendment.

What has gone wrong is the unwillingness of the Premier, in particular, to abide by your rulings, and to follow the procedure in Committee. I won’t say he is questioning the authority of the Speaker, but he is certainly questioning the authority of the Chair. And, in my respectful view, Madam Chair, this point must go to a vote for this matter to be properly disposed of.

The Member who moved the amendment has said he is not withdrawing it, so there is only one other way for this matter to be disposed of—on a vote! And the vote is not about whether or not the Government wishes to accept the amendment; the vote is whether or not the Committee desires to make this amendment or addition, which is not within the title of the Bill. That is what has to be vote on.

Then the matter is disposed of and it falls away and the Government and anybody else can deal with this matter going forward as they see fit. The Premier has said they are going to deal with minimum wage. Let’s hear what they have to say in due course, but let’s get through this, please.

**Hon. Rolston M. Anglin:** Madam [Chair], I hear the pleas of the Honourable Leader of the Opposition, and I, too, am at pains at this point. But if the Member wanted to make an amendment that is outside the scope of the Bill, in my respectful submission, per Standing Order 50(2), the amendment should have

been submitted to the Office of the Clerk under an amending title.

There is no amending title to vote on. It is under the same Labour (Amendment) Bill, 2011. It’s not . . . If the Members of the House can show me as a Member of this Committee where there is an amendment to the title, therefore the substance of the Bill, then I would be happy to vote on it, but it is not there. It is not properly constituted and so, Madam [Chair], we windup where we are.

**Mr. D. Ezzard Miller:** Madam Chairman, as the person who has brought this simple amendment to the Labour Law—which everybody is so scared to vote for or against—to help a few of our working people in this country—

*[inaudible interjection]*

**The Chairman:** we are not making political speeches.

**Mr. D. Ezzard Miller:** Madam—

**The Chairman:** It is not a question of whether Government approves the content of the amendment or Government disapproves the content of the amendment. The question is whether the amendment can be allowed on the Floor of the House as a part of this Committee, during this Committee stage, without the consent of the Government who must . . . or without the consent of all Members who must decide whether it will be included in the title of the Bill.

**Mr. D. Ezzard Miller:** Madam Chair.

**The Chairman:** That is the question.

**Mr. D. Ezzard Miller:** Madam Chairman, I am not arguing with the question. But I have been accused of a lot of things here in the last half hour; irrelevancy, improperly, et cetera.

**The Chairman:** So have we all.

**Mr. D. Ezzard Miller:** Please allow me to respond to some of that, because, as I said, Madam [Chair], the amendment is properly before the House. And if I could draw your attention to [Standing Order] 52, the margin notes in 52 say: **“Amendments, new clauses and new schedules.”**

There is nothing in 52 that precludes that from being done subject to 50(2). And, Madam [Chair], the amendment is proper. It says, “that the Bill be amended as follows: (1) inserting a new clause 5.” It is proper to amend any bill brought to this House by anyone by the insertion of new clauses.

And 52(8) gives even greater authority relevance and correctness to what I have done; in that it says, **“New clauses shall be considered after the**

**clauses in the Bill as printed have been disposed of and before the consideration of the Schedules.”**

Now, Madam [Chair], if it was not the intent of the House and the intent of the framers of these Standing Orders to allow new clauses—such as what I have brought here—there would be no need for 52(8). So, 52(8) is there for a specific, absolute, and clear reason, and it cannot be ignored by the Government Bench.

Now, Madam [Chair] 52(3) says, **“Every amendment shall be [relevant to the] subject matter of the clause to which it relates.”**

My amendment does not seek to amend one of the three clauses that the Government is bringing. But it is certainly relevant to the subject we are trying to amend—both the Government and me. The subject that we are amending is the Labour Law! The Labour Law (2007 Revision)! That is the law that is being proposed to be amended. In my view, it is quite proper, it is quite correct and there are precedents in this Parliament to allow new clauses to introduce different parts of legislation currently under bills proposed by the Government to amend. So the precedent has been set.

Madam [Chair], I still believe that 50(2) . . . because the title of the Bill is one of the last things that is approved by the Committee. Therefore, Madam [Chair], in my humble view, 50(2) is not relevant unless amendments have been made to the Bill. And even the current title, I propose, does not need to be amended because it says “for incidental and connected purposes thereto.” And the proposal that I am proposing to amend is certainly related to one’s compensation to which the Bill that the Government has brought is deliberately related to. Now you might say that it is a different bench in the church of compensation but it is in the church.

Madam [Chair], I am not withdrawing the [amendment]. I think you and the Clerk were right—

**The Chairman:** The clause.

**Mr. D. Ezzard Miller:** —in allowing it—right? And the only way to dispose of this—it is properly before this House. I do not accept the Government’s position that I have brought anything here that is improper, incorrect, or outside the bounds of Standing Orders.

I believe, Madam [Chair], if I did [that], you and the good Clerk and the rest of your staff would have picked it up very early, as they have done in the past, and set me straight. But the Government cannot now cop out of voting on this matter by saying that somebody else has erred in bringing this before this Committee. This is properly before the Committee, in my view, and I am not bailing them out this time.

**The Chairman:** I am going to suspend the [Committee] at this time for the lunch break, and hopefully, after you all have eaten, everybody’s mood will be a little bit better. Thank you all very much.

*[inaudible interjection]*

**The Chairman:** Until 2.15.

**Proceedings suspended at 12.43 pm**

**Proceedings resumed at 3.57 pm**

**The Chairman:** When we took the suspension the House was in Committee.

Committee is now resumed.

Please be seated.

We were considering the admissibility or inadmissibility of an amendment being brought by the Member for North Side at the time we suspended.

Minister of Labour.

**Hon. Rolston M. Anglin:** Thank you, Madam Speaker *[sic]*.

Madam Speaker, before we took the luncheon—

**The Chairman:** Madam Chairman.

**Hon. Rolston M. Anglin:** Madam Chair.

**The Chairman:** That’s just for the record. Go ahead.

**Hon. Rolston M. Anglin:** Sorry, Madam Chair.

Before we took the suspension we obviously had engaged in a lengthy debate that traversed Standing Orders [and] Erskine May. However, when this entire set of circumstances are put together and we consider the entirety of the Standing Orders and what Erskine May has to say surrounding this, I am seeking to move a motion in this Committee, and it is based (for those who want to follow along) on page 607 of Erskine May, which speaks to the whole issue on admissibility or, in this instance, inadmissible amendments.

And, Madam [Chair], from the reading of [page] 607 of Erskine May, combined with our own Standing Order 50(2), which is a key hurdle that must be crossed before you start to engage in other Standing Orders as it relates to amendments that come to a committee, I move that the written amendment that was submitted by the elected Member for North Side be deemed out of order as it is beyond the scope of the original Bill and it has not complied with Standing Order 50(2), which reads: **“A committee may make such amendments and additions to a Bill as are relevant to its subject matter but where a committee desires to make any amendment or addition which is not within the title of the Bill, it shall amend the title accordingly and shall report the fact specially to the House.”**

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** Sorry, Madam Chair, what I was asking was [about] the question that you placed before the Committee.

Have you withdrawn that question so that a separate and entirely new motion may be moved? Because, there is a motion on the Floor, moved by yourself as Chairperson.

**The Chairman:** I can't move a motion on the Floor of the House. I can't move a motion. I made a suggestion.

*[inaudible interjection]*

**Hon. Rolston M. Anglin:** I'm moving a motion. The Chairlady, as I recall, made a suggestion on a way forward; but she is not allowed to move a motion. She can put the question—

**Mr. D. Ezzard Miller:** And I think she—

**Hon. Rolston M. Anglin:** —to the motion that I am moving [that] I am now seeking for the Chair to put to the Committee.

**Mr. V. Arden McLean:** There has to be, Madam Chair—

**Mr. D. Ezzard Miller:** You ask people the question.

**Mr. V. Arden McLean:** I respectfully suggest that the Motion the Member for North Side recorded and tabled, which the Office of the Speaker approved, has not reached the Committee at this stage so we must first have that read into the records and then anyone who wants to move a motion can move a motion. It has not been!

**Hon. Cline A. Glidden, Jr.:** Madam Chair, there's a motion on the Floor. There is. It was moved by . . .

*[inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chairman, we are getting hopelessly confused.

The Minister of Education has just attempted to move a motion. I do not believe he can properly do so because there is a motion extant on the Floor of this Committee.

Goring to Erskine May, which the Minister referred to, if we go to page 605, it sets out the process. Under the heading "Amendments of which notice has been given"—which this is one—"If notice has been given of any amendments, the chairman calls on the Member who has given notice of the first amendment which he decided to select."

Their process is a little bit different than ours. But that has happened. You have called on Mr. Miller—who has given notice of his amendment. If the

Member called does not move an amendment, any other Member may do, so forth and so on.

Then we go to "Withdrawal of Amendments": "**Once the question on an amendment has been proposed from the Chair, it can be withdrawn only at the request of the Member who moved it and by the unanimous leave of the Committee.**"

So, that is where we are in this process, Madam Chair, with respect. And, therefore, while there is on the Floor of this Committee that outstanding Motion, it has to be disposed of before we can get into any other motions that are being proposed by somebody else.

**Hon. Cline A. Glidden, Jr.:** Madam Chair.

**The Chairman:** Yes.

**Hon. Cline A. Glidden, Jr.:** Madam Chair, I agree with the Leader of the Opposition, that we are getting confused and I think the confusion is because the other side is trying hard to use a provision that refers to provisions for amendments to be made in committee.

Where the confusion began, and where we still are, is that the process allows for a Member in Committee to make a motion for an amendment. The Chairperson can then call on that Member who is making the amendment and that person can then put the amendment forward.

In this particular case, in error, the Member made a written motion under . . . [Standing Order] 52(1) and (2) talks about being in committee when the amendment is made. The Member brought it under 52(1) and (2) long before we were in any committee stage—

*[inaudible interjection]*

**Hon. Cline A. Glidden, Jr.:** —when the . . . *[replying to the interjection]* No. It refers specifically to saying in committee a Member can bring the amendment. When we were not in committee the Member brought an amendment which is not allowed for under the Standing Orders.

*[inaudible interjection]*

**Hon. Cline A. Glidden, Jr.:** You can look there and see. Again, let's look.

*[inaudible interjection]*

**Hon. Cline A. Glidden, Jr.:** [Standing Order] 52 (1) says: "**On consideration of a Bill in a committee any Member may move an amendment.**" When the Member moved his amendment we were *not* in a committee. We were not in committee.

*[inaudible interjection]*

**Hon. Cline A. Glidden, Jr.:** [*replying to the interjection*]. No. When the Member moved his amendment we were not in committee.

Anyway, Madam Chairman, the situation that exists now is that that amendment never came on the Floor. What you are seeking when you were discussing, was to see whether the Committee was willing to allow an amendment to come. So, now when the Opposition gets up and says that there is an amendment on the Floor, the Leader of the Opposition is more confused than ever.

There is no motion on the Floor. The Chairman was simply asking if this Committee would allow a motion to come.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I am truly confused now.

If the Standing Orders require that, save with your permission, that notice of the committee stage amendment to a bill must be given—and it is two days' notice required—that is what the Member for North Side has done. He has complied with the Standing Orders.

You approved the amendment as proper to come before this Committee. The problem this Committee is having is that the majority of the Committee—made up of the Government Members—disagrees with your ruling, and have, thus far, frustrated—quite disrespectfully, in my view—your ruling, and is trying everything they possibly can—

**Mr. V. Arden McLean:** For it not to reach the floor.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** —for it never to come before the Committee so that it can be voted on. That's the problem!

**The Premier, Hon. W. McKeever Bush:** Madam Chairman, the Leader of the Opposition, who is saying that we are disrespecting the Chair, does not know what he is talking about, simply put, and just saying things to create more strife rather than keep the peace.

My question to this Committee is: What good is all of this doing for this country?

[*inaudible interjection*]

**The Premier, Hon. W. McKeever Bush:** That's the question that we need to think about.

We have gone to four o'clock, although we just not too long ago came back in. But we had a long debate on this and everybody said their piece. Now, if you all think that I have time with all the problems that I have in this country to deal with, to sit here and see you all play the political games that you all are playing on that side . . . regardless of who put what and how wrong or right it was done, I am not going to sit here and do so.

There is a Bill, which I think the [Clerk] already called out all the relevant clauses, as far as I know. And you know what, Madam Chair? It is time for us to stop all of this talk on this Bill and get going. Finish our business.

Therefore, Madam Chair, under [Standing Order] 24(9)(g) I move that the question be now put.

[*inaudible interjection*]

**The Premier, Hon. W. McKeever Bush:** No, it's not on the Motion that he put. I'm talking about on this Bill! We have finished it!

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** You can't do that.

**The Premier, Hon. W. McKeever Bush:** No?

[*inaudible interjection*]

**The Premier, Hon. W. McKeever Bush:** Well you find it and tell me where it can be.

**The Chairman:** All right, I'm going to rule now and everybody else keeps quiet.

[*laughter*]

**The Chairman:** I'm going to Erskine May's first, page 608 [Inadmissible amendments] (4) and (5): "Amendments are inadmissible if they refer to, or are not intelligible without, subsequent amendments or schedules, of which notice has not been given, or if they are otherwise incomplete." I am ruling that the amendment before the House is incomplete.

It was not accompanied by the necessary amendment to the Schedule which would have made it a part of the relevant Law before the House. It is entirely outside of the scope of the amendment that is before the House, it is a new clause and it must be accompanied by an amendment to the Schedule to allow it to become a part of the legislation before the House. It is therefore . . .

[*pause*]

**The Chairman:** Also in Erskine May's, page 612: "If it should appear in the course of debate that an amendment or new clause which has been allowed to be moved is out of order, the chairman directs the committee's attention to the fact and withdraws the amendment or clause from consideration of the committee."

I am hereby doing that. Please continue with the matter before the House.

**Mr. D. Ezzard Miller:** Madam Chairman, would you allow a question of clarity, please?

I have accepted your ruling, but just for my own clarification, what particular Schedule of the Labour Law are you referring to?

**The Chairman:** To make the amendment a part of the amending Bill before the House, it is required that the Schedule be amended. According to Erskine May that amendment to the Schedule must accompany the amendment that you are bringing to the House so that it ties in with the legislation before the House.

**Mr. D. Ezzard Miller:** And all I am asking, Madam [Chair] is, what schedule of the Labour Law are you referring to?

**The Chairman:** The Schedule of the amending Bill before the House.

You would need to bring a proposed amendment to the amending Bill before the House, because the Schedule for the amending Bill does not include the provision that you are bringing before the House. It is a Bill for a Law to amend the Labour Law so as to remove the maximum period for which certain payments may be made; and for incidental and connected matters.

It does not preclude from bringing this back at another time, but you should have brought an amendment to the Schedule to tie your amendment into the legislation before the House. I hope that everybody understands that and remembers it in the future.

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** But I mean this is a . . . I want to make sure that I understand the rules of the House, Madam [Chair], because I was chastised this morning to abide by the rules. And the only thing I am questioning is the Schedule that you are referring to.

We started off talking about the title, and we could not get past that one, and now we are talking about a schedule. I accept your ruling. But so that I do not make this grave error in the future, I would just like you to give me the Schedule that you are talking about. Because, the Bill does—

**The Chairman:** I will repeat it again: The amendment that you have brought is not in keeping with the Bill that is before the House. To make it a part of the Bill before the House you should have brought an amendment to the Schedule to the Title to make it a part of the Bill.

The Bill says: “**A Bill for a Law to amend the Labour Law (2007 Revision) so as to remove the Maximum period for which certain payments may be made; and for incidental and connected matters.**” You needed to bring an amendment stating, when you brought your motion, you needed to have brought an amendment stating . . . adding that to this. Is that clear?

It does not preclude you bringing the amendment again, but when you bring it you need to bring it with an amendment to the Schedule so that it ties into the legislation that is before the House. At the present time, it is completely out of the scope of the legislation before the House.

*[inaudible interjection]*

**Mr. D. Ezzard Miller:** Madam Chairman, I will accept your ruling, so that we can move on. I still do not understand how we came to that conclusion, but I will accept your ruling—because, there is no schedule on this.

**The Chairman:** Go to your own Standing Orders since you need some more clarity.

[Standing Order 52(6)] “**If an amendment refers to, or is not intelligible without, a subsequent amendment or a Schedule, notice of the subsequent amendment or Schedule must be given before or at the time when the first amendment is moved, so as to make the series of amendments intelligible when read together.**”

That is what Erskine May’s says. That is what our Standing Orders say. You need to have an amendment before the House to accompany this.

*[inaudible interjection]*

**The Chairman:** Can I have a copy of his amendment?

**Mr. D. Ezzard Miller:** I don’t know but, anyway . . . go on.

**The Chairman:** His amendment.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I am reluctant to get into this.

**The Premier, Hon. W. McKeever Bush:** Stay out of it.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** But an amendment to what?

**Hon. Rolston M. Anglin:** Madam Chair.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** One second, Madam Chair.

I’ve looked at what the Member for North Side has done, and it is quite clear. He is proposing the introduction of new clauses to the Bill.

**The Premier, Hon. W. McKeever Bush:** Uh-uh!

**The Chairman:** But—

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** What other amendments are necessary,

other than those that are contemplated by Standing Order 50(2), which talks about where a committee desires to make any amendment or addition which is not within the title of the Bill, it shall amend the title accordingly, clearly contemplating that this is work that could happen within the committee? So—

**The Chairman:** This is not work that should happen within the committee. You have to tie it in.

The amendment that you are making is out of the scope of the legislation that is before the House. It is outside of it. So, you have to have something that ties it in to the legislation before the House. It can't just be a new clause standing alone. It has to be tied in.

If I read Erskine May right and I read our Standing Orders right, there has to be an amendment to the Schedule so that it can come forward as a part of the legislation before the House.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** But—

**The Chairman:** And that is my ruling, and I am going to stand by that now and we will argue the rest of it later.

Can we please move on?

I would be happy to discuss this in my office with anyone who wants to come there.

**The Clerk:** [inaudible]

**The Chairman:** We had done the clauses? Yes?

**The Clerk:** Title of the Bill: A Bill for a Law to amend the Labour Law (2007 Revision) so as to remove the maximum period for which certain payments may be made; and for incidental and connected purposes.

**The Chairman:** The question is that the Title do stand part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.  
The Title will stand part of the Bill.

**Agreed: Title passed.**

**The Chairman:** The question is now that the Bill be reported to the House. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Bill to be reported to the House.**

**The Chairman:** The House will now resume.

**House resumed at 4.16 pm**

## **REPORT ON BILL**

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

### **Labour (Amendment) Bill, 2011**

**The Clerk:** The Labour (Amendment) Bill, 2011

**The Speaker:** Honourable Minister [of Education, Training and Employment].

**Hon. Rolston M. Anglin:** Madam Speaker, I am happy to report that a Bill shortly entitled, The Labour (Amendment) Bill, 2011, was considered by a committee of the whole House and passed without amendment.

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

## **THIRD READING**

### **Suspension of Standing Order 47**

**The Speaker:** The question is that Standing Order 47 be suspended to allow the . . .

**The Clerk:** He needs to move it.

**The Speaker:** Sorry. I'm sorry.  
Honourable Premier.

**The Premier, Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, I move for the suspension of Standing Order 47 to enable the Bill to be read a third time.

**The Speaker:** The question is that Standing Order 47 be suspended to allow the Bill to be read a third time.

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

**Ayes.**

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

**Agreed: Standing Order 47 suspended.**

### **Labour (Amendment) Bill, 2011**

**The Speaker:** Minister for Labour.

**Hon. Rolston M. Anglin:** Madam Speaker, I beg to move that the Labour (Amendment) Bill, 2011, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled, The Labour (Amendment) Bill, 2011, be given a third reading and passed.

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

**Ayes.**

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

**Agreed: The Labour (Amendment) Bill, 2011, given a third reading and passed.**

**The Speaker:** There is no further business on the Order Paper for the day. I call for a motion for adjournment.

## **ADJOURNMENT**

**The Premier, Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, I move the adjournment of this honourable House until Wednesday, 10 am.

**The Speaker:** The question is that this honourable House do stand adjourned until Wednesday, 10 am. All those in favour please say Aye. Those against, No.

**Ayes.**

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

**At 4.20 pm the House stood adjourned until 10.00 am, Wednesday, 23 February 2011.**

