FIFTH MEETING OF THE (1977) SESSION OF THE LEGISLATIVE ASSEMBLY
FRIDAY, 31st day of MARCH, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.M.G. PRESIDING

GOVERNMENT MEMBERS

HON. D. E. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID H. DARWICH, CBE.	SECOND OFFICIAL MEMBER
HON. V.C.JOHNSON, OBE., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M.BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. W. ALEC BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M.BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BENJAMIN D. HARRIS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTEN SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KENNETHEEN D.EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE S. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE E. DONALD, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K.P. TIBBETTS	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK MANNIX, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE

ABSENT - MR. JOHN P. McLEAN - ATTENDING TOURISM CONFERENCE, NEW YORK.

ORDERS OF THE DAY

FIFTH MEETING OF THE (1977) SESSION OF THE LEGISLATIVE ASSEMBLY

MONDAY, 21st MARCH, 1977 COMMENCING AT

10 a.m.

1. PRAYERS BY THE REV. DR. NEIL HAINS

2. REPORTS ON SELECT AND STANDING COMMITTEES:-

(a) Select Committee set up to look into cost, payments and other matters to News Media and similar enterprises.
Chairman: Hon. Truman M.Madden

(b) Select Committee appointed to look into the matter of adjustment of speed limits
Chairman: Hon. Charles L. Kirkconnell

(c) Report of the House Standing Committee
Chairman: Mr.Chadlock Ebanks

(d) Report of the Public Accounts Standing Committee
Chairman: Miss Annie M.Madden.

3. GOVERNMENT BUSINESS:-

BILL:

THE PETROLEUM HANDLING AND STORAGE BILL, 1977
(FIRST, SECOND AND THIRD READINGS)

(i) Suspension of Standing Order 45 (1)

(ii) Suspension of Standing Order 47

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FRIDAY, 31ST MARCH, 1978

10 A.M.

MR. PRESIDENT: The Assembly is in Session, I shall ask the Reverend Neil Banks to say prayers.

REVEREND NEIL BANKS: Let us pray.

Almighty God our Heavenly Father, who are concerned about all the needs of mankind, and is concerned about the Government of all peoples, we pray for Thy Blessing upon all who are responsible for the Government of these Islands, Her Majesty the Queen, the Members of the Royal Family, for those who exercise responsibility under Her, especially for His Excellency the Governor and all under him.

At this time we pray for this legislative Assembly now in Session, praying that Thou will guide them and Bless them and strengthen them that all decisions they make may truly be to Thy Glory, and to the good of all the people, in Jesus name we ask it, Amen.

MR. PRESIDENT: Please be seated.

I shall ask the Clerk to announce the various items on today's Order Paper as they come up.

CLERK: Select Committee set up to look into costs, payments and other matters to News Media and similar Companies.

REPORT TO BE LAID ON THE TABLE

HON. TRUMAN M. BODDEN: Mr. President, I beg to present to this House and to lay on the Table the Interim report of the Select Committee set up to look into costs, payments and other matters to News Media and similar Companies.

The Committee found itself unable to conclude its investigation before the end of this Session as one of the witnesses was abroad on vacation, and due to a mechanical failure of a tape recording of that machine. And I'd ask Mr. President, to lay this Report on the Table, and at the next Session I will be moving a Motion to reconstitute this and to continue it to its final Report.

MR. PRESIDENT: The Report is ordered to be laid on the Table.

CLERK: Select Committee appointed to look into the matter of adjustment of speed limit.

SPEED LIMIT REPORT LAID ON THE TABLE

HON. CHARLES L. KIRKCONNELL: Mr. President, I beg to lay on the Table the Report of the Committee which was appointed by the Legislative Assembly on the 5th December, 1977 to consider the Speed Limits in operation in the Cayman Islands. All Members of the Committee were present, and also in attendance were Mr. Kevin McCoy, the Traffic Officer, Mr. Brian Lauer, the Principal Secretary of Lands and Natural Resources, Mr. K.M. McCoy, Permanent Secretary of Communications, Works and Local Administration.

In examining the Speed Limits used in the territory it was found that there was need to adjust these to reasonable levels taking into full consideration all factors relevant to the safety of the public in general, the use of roads in specific areas and the efficient and economic use of motor vehicles operating on the roads. On the basis of the examination and evaluation of all the relevant factors it was decided to recommend that three main speed limits be established, namely, fifty miles per hour, thirty miles per hour and twenty-five miles per hour. The areas in which it is recommended that the respective speed limits apply are set out in detail in the report.

Mr. President, there are some corrections to be made in the Report and these are as follows:-

HON. C.L. KIRKCONNELL CONTINUING:

(a) SPEED LIMITS GRAND CAYMAN

Paragraph (a) on second line
North of grid line 276320MN
should read ..... " " " " 276180MN

Paragraph (a) (1)
Turtle Farm Map reference 60341
should read ..... " " " " 563431

Paragraph (b) (2)
Eastern Avenue A1
should read ..... " " A2

Paragraph (d)
parcel 74A 24 map reference 609864
should read .. Parcel 74A 24 map reference 608864.

The recommendation does not preclude the Governor in Council from fixing other lesser limits in any area where it may be found necessary on grounds of expediency.

Mr. President, as already observed the recommendations have been made after very careful consideration of all factors, and I consider therefore that they are sound and reasonable. Accordingly, Sir, I recommend that this honourable House adopt the recommendations as contained in this Report.

MR. PRESIDENT: The report is ordered to be laid on the Table. If there is a seconder for this Motion and it is not opposed then the Presiding Officer may forthwith put the question on the Motion made by the Honourable Member.

MR. CRADDOCK BLEKER: Mr. President, I second the Motion.

HON. TRUMAN M. MARTIN: Mr. President, I had expected that this was going to merely be laid on the Table, and we could perhaps deal with the merits of it at a later stage when we had sufficient time to get fully versed of all the ramifications of it. If it must be dealt with at this stage, Sir, then I would have to put an amending Motion which I would not like to do hastily; Mr. and I would perhaps ask this House if they would just let it lie on the Table for the time being until we could have sufficient time to go through it, and perhaps a Motion could be put at a later stage.

MR. PRESIDENT: I need guidance, I think either from the Clerk or the Attorney General whether - normally, select committees proceedings die with the House. The House will be prorogued on Tuesday and we wont for a new Session the following Wednesday. I need guidance whether we have completed the Select Committees Report on the School Committee's proceedings if it is ordered to lie on the Table, whether it is proper to take a motion in the next House.

The Clerk advises me that there is no objection to this, and I don't know - we have a motion from Capt. Charles, perhaps he can test the temperature and might be prepared to withdraw it, if that is the wish of the House.

HON. C.L. KIRKCONNELL: Mr. President, we have gone into the matter of the speed limits thoroughly, and as I've said before, we did not take this on our own, we had Mr. Kenton McCann, we had Mr. Brian Lauer, we had Mr. Harry McCoy, and the Report has been circulated to all the Members. I am prepared to withdraw it, but I see no advantage, Sir, in withdrawing it at this time, because the Governor in Council, as I've said earlier can adjust speed limits if they are not suitable to any Member here, and they when the speed limits altered they can bring it to the Governor in Council and this can be dealt with there.

HON. TRUMAN M. HODDEN: Mr. President, if it is to take that course and this House does not mind - at that stage my asking for certain alterations in the George Town Limits when I would be happy with this. Answer, it may be - it may put Council in a peculiar position if this House adopts a resolution, then it attempts to alter it, you know I appreciate the Honourable Members position now - I am wondering if it couldn't just lie on the Table for the time being, and perhaps the George Town part of it could be dealt with at a later stage.

And by the way, Mr. President, a Motion could be put at any stage relating to it, while the Committee report would end - a motion could come subsequently.

MR. CHADDOCK EVANS: Mr. President, I seconded the Report and I am not going to try to deprive Members of their rights and privileges, but I will disagree with a Motion going to Executive Council to be decided by Executive Council as to any change or if it should be any change in the Report that has been presented. If the Member feels like bringing a Motion to the House when the next House convenes, whether it be in the next week wishing to ask for the suspension of Standing Orders or a meeting following, I wouldn't try to argue against his privilege of bringing the Motion to the House that every Member can have the opportunity to express his or her views and feelings in this matter.

I feel, Mr. President, that it was only a reasonable request that was brought to this House several weeks ago, and if we are thinking in terms of making the movement of people more satisfactory then an increase of approximately five miles in certain areas, I don't see where there is anything unreasonable about that. And in the most heavily populated residential areas, to the best of my knowledge most of it still remains at the twenty-five, so I don't know what Members can do to make this more workable, I would say, or more safely, because if we are going to move it from twenty-five in the thickly populated areas, well then you would have to reduce it to twenty. Well, when we get to those areas we should leave our cars and walk.

So, Mr. President, I stand on seconding the report as is presented to Members. But I will say again, I am not going to endeavour to deprive any Member of their privilege of dealing with this, but I will disagree for it to be dealt with in Executive Council - and it should be brought to the House, if there should be or felt that there should be further or other amendments to the Report. I thank you, Sir.

MR. PRESIDENT: It seems to me that the recommendations in the Report in any case are going to require Legislative change. Is it not the possibility that when these changes are made that the debate on them could be be reopened on the actual contents, or is it subsidiary legislation?

HON. DAVID E. BANNISTER: It is subsidiary legislation, Sir.

MR. PRESIDENT: Well, the technical position is, that we have a Motion which has been seconded, unless this Motion is formally opposed I have to put the question without debate.

HON. TRUMAN M. HODDEN: Mr. President, under Standing Order 72 (1) I move a modification of the Report to alter it so as the speed limits within the George Town Electoral District to remain as they are, with the exception of the alteration of the fifty miles per hour zone to the point where it is in the Report.

Mr. President, and secondly, I would move along with that that the speed limit in the vicinity of any school be fifteen miles per hour within a thousand feet from the main entrance to that school.

Mr. President, I did not want to go into this type of controversy at this stage and that was why I was hoping that perhaps we would not have to go through the formal procedure on this. My reasoning on this, Sir, is that at present with the speed limits being twenty-five miles per hour, in practice the Police normally almost charge a person for speeding unless they are normally in the vicinity of about ten miles per hour over the limit, therefore

HON. TRUMAN M. BODDEN CONTINUING:

in the George Town area in practice the limit is really thirty-five miles per hour, to move it to thirty when you're really in practice moving it up to approximately forty miles per hour. The George Town area is a built up area, and especially the school road or eastern road whatever it is now called has a school, Sir, of some three hundred and odd students and it is very busy and one of the most built up areas. I think to increase that, Sir, is not in the interest of the George Town electorate.

I would like to make it clear that I am prepared to support this in relation to any of the Districts, but I feel that with the specific districts, then I think there should be some over-riding of the Members for that District. Secondly, Mr. President, five miles an hour on any one of these roads in time can only mean a matter of a few minutes, and I do not see where it can be justified. I think we should leave well enough alone in the event that this is increased - the first time that there are accidents or the road due to speeding, then I think a part of the blame for that will be on our shoulders. I have discussed this matter with several people, and while we did not put together a type of committee that we did on the Development Plan I believe that it is the view of the electorate of George Town, Sir, that the increases to thirty miles an hour here should not be allowed, as they are in a built up area, as I have mentioned before - and not in the interest of the George Town electorate. I am prepared to back and support whatever the Members wish in their own districts, but I would ask them that when it comes to the peculiarity of things like, lifting speed limits within our own districts, then I feel that the Members within those districts should have - or their views should be taken in a more firm manner and regarded more seriously than when this is done by Members who are not within the district.

I mention, and it is with respect to the views of the Third Elected Member for George Town, as I know she is on the Committee, and I respect her views on this, but I am afraid I must put forward what I think the views of the George Town Electorate are. Thank you, Sir.

MR. BENJAMIN O. SMITH: Mr. President, I beg to second that.

MR. PRESIDENT: Well, the question is, that the Motion for the adoption of the report be overtaken by a proposed amendment to modify the report as described by the mover of the amendment. The amendment is seconded, the Motion is open for debate on the amendment.

MISS ANNIE H. HOOPER: Mr. President, although I am not a driver, the only thing in my life that has ever concerned me was learning to drive a motor car, but still I feel and know that thirty miles an hour in the sections which we have designed is quite in order. I own a motor car, a large one, and to test this out I had my chauffeur drive twenty-five miles an hour and then thirty. In the twenty-five miles even I could almost walk as fast although I am partly cripple, and I see nothing wrong with this. And I must strenuously object, that after we have gone to the trouble, attended and had this report made, and had I would say, instructions from those who should know better than I do at least that we should disregard this report now.

In other words I am wondering what are these twelve Legislature for? If there is a committee of people on the outside who can over-rule every thing that is done why don't we quit and let the fourteen thousand people run the Islands. And for George Town other Members from other districts come in and intrude where they have no business, as I don't see why in a matter like speed limit they cannot make suggestions.

Now, I do oppose most emphatically any change in this Report. Where we have increased it to five miles only, Sir, I would say, only in the out-skirts of George Town and I see nothing wrong with that Report. I suppose because I was on it that is why this big row is made, but let me say here and now, Sir, that one of your predecessors found it necessary to ask us the Assembly Members to increase the speed on the West Bay road to fifty. And, although I am not a driver I feel that going fifty miles an hour on a perfectly straight road is absolutely nothing wrong, and I detest, I must say this interference from people who are just doing this thing in a malicious sort of

MISS ANNIE R. BODDEN (CONTINUING):

way. And I heartily recommend that twenty-five miles where we have defined be left as it is, and thirty miles on the mainland we have been defined. And, if drivers are going thirty-five or forty in a twenty-five miles zone that is the Police business and if they are foolish enough to go to Court and overlook ten miles we can't do anything about that. And about people being killed, well, one thing you are sure and certain - I have never in my time ever heard that anybody who was murdered, I call it by a motor car ever was convicted, they always go free, so no blame can be attached to us.

Thank you, Sir.

HON. O.H. FRATER: Mr. President, I think we have a little technicality here, Sir, that if you don't follow it might've work out. The Standing Order referred to by the First Elected Member for George Town (sic), it says, "that the Chairman or other Member of the Committee acting on his behalf" and so on, and then it goes on to say, "and the Chairman or any Member may put forthwith and without notice move that the recommendations contained therein be adopted, modified or rejected". I understand it Sir, that it's the Chairman or a Member of the Committe that has got to do this. And to the best of my knowledge the honourable Member is not a member of the Committee. I might be wrong .....

HON. TRUMAN M. BODDEN: Mr. President, I now take that point, but whether I put that under the wrong Standing Order or not I am entitled when there is a motion before the House to move an amendment to it. And if I used the word "modification" and the wrong Standing Order, I don't think in substance it affects it. I apologise for using that. I did get put on the spot trying to find what to annul it under, but in general after a motion is put then any Member may proposed an amendment. And I would ask that that proposal for modification which I've put there be regarded as an amendment, and I will search for the appropriate Standing Order, Sir.

MR. PRESIDENT: I think the point is correctly taken by the Honourable Chief Secretary, unless the Honourable Member can direct me to a Standing Order which allows him.

HON. TRUMAN M. BODDEN: Mr. President, I think this is under the general Standing Orders, because this is now back out of a Select Committee, it's in the House, and it goes under the Standing Orders beginning with Standing Order 27 which he is relation to motions, Now. If I was that Sir, I will have to ask that we waive the notice in relation to the amendment.

However, Sir, I should point out at this stage that no notice of a motion to adopt this report has as I can remember been circulated either, so both technicalities in relation to the required notice would be there.

MR. PRESIDENT: No, I am afraid that's inaccurate. Under Standing Order 72(2) there is authority for the Chairman immediately forthwith to move a motion for the adoption of the Select Committee's Report.

HON. TRUMAN M. BODDEN: That is correct, I see that now.

Well, Mr. President, I would at this stage have to put two motions, one is to waive the Standing Order relating to notice and then secondly I would put the amendment to that motion.

MR. PRESIDENT: I'm prepared to rule that - to get out of the technicality that the Presiding Officer may authorise under Standing Order 25(2).

HON. TRUMAN M. BODDEN: Yes, Sir.

MR. PRESIDENT: I am quite prepared to allow you to proceed with the motion, and it has been before the House, somebody has spoken to the motion, and unless there are any other speakers I would put the question on the amendment.

HON. THOMAS M. BODDEN: Thank you, Sir.

HON. G. HAIG BODDEN: Mr. President, just before you put the question I would like to add that we are really in the fine points of the Standing Orders today. It is quite clear from Standing Order 72 that the life of a Select Committee shall end with the term of the House that appointed it, that part is quite clear, so the House today must receive this report. But Standing Order 72(5) is very difficult to interpret, but two things are clear, one is that the proceedings of a Select Committee shall be presented to the House by the Chairman or other members of the Committee; that has been done. The Standing Order goes on to say, that once this report has been presented and recorded in the Minutes of proceedings of the House nothing has been so presented then the Chairman or any member may move certain recommendations. But in the second part of it you notice the word "Member" does not have added to it "Member of the Committee", and in the interpretation of the Standing Orders in the beginning where the word "Member" appears by itself in the Standing Orders, that word "Member" could refer to any member of the House. So .....

MR. PRESIDENT: With capital "M".

HON. G. HAIG BODDEN: Well, that is true, but it does seem to me that there is latitude for a Member not being a member of the Committee to move that the report could be adopted, modified or rejected. Of course, the whole thing is in your hands because the Standing Order goes on to give you wide discretion in the matter. It says, "The Presiding Officer may forthwith and without debate put the question", you may allow debate or you cannot allow debate, and it would seem to me that the position we're in now is that the House has been presented with a report from a Select Committee. The work of that Select Committee is finished, the report is a part of the proceedings of the House and it is entirely up to the House whether they will adopt this report as it is or whether the House may want to just accept the report as being presented without adopting it and study the report at a later stage, as will be done with the report that has previously been tabled this morning. And I feel, Mr. President, that you have the discretion under this Standing Order to put the question as to whether this report can be adopted in the present form or whether it can be modified or whether it can be rejected.

MR. PRESIDENT: As I see it, I have already ruled that there is a motion for modification which has been moved and seconded, we can take a vote on that if that is accepted, then the motion is put that the report as modified be adopted by the Assembly. If the motion is rejected, then we proceed on with the original motion that the report be adopted. It would still be open to reject that and consider it at a later time. So, unless there is any further debate on the amendment I'll put the question that the report be modified as moved by the First Elected Member.

QUESTION PUT: AYES AND NOES.

MR. PRESIDENT: I think the Noes have it.

HON. THOMAS M. BODDEN: Could I ask that you take a division - take a poll.

DIVISION

AYES	NOES
Hon. Thomas M. Bodden	Hon. D.H. Foster
Mr. Dalkeith O. Ebanks	Hon. Darrel P. Seymour
Mr. Gaston J. Smith	Hon. V.G. Johnson
Hon. Esther I. Ebanks	Miss Annie E. Bodden
Mr. George O. Smith	Mr. Craddock Manoa
	Capt. Keith P. Tibbetts

RESULT OF THE DIVISION: 5 AYES 5 NOES

ABSTENSIONS: HON. G. MAJOR BODDEN
HON. CHARLES L. KIRKCONNELL
HON. JAMES M. BODDEN

MR. PRESIDENT: The result of [illegible] division is 5, so the motion for modification is rejected. If there is no further debate on the original motion I'll put the question that the Select Committee's report be adopted.

QUESTION PUT. AGREED. THE SELECT COMMITTEE'S REPORT WAS ADOPTED.

CLERK: REPORT OF THE HOUSE STANDING COMMITTEE.

THE HOUSE STANDING COMMITTEE REPORT LAID ON THE TABLE

MR. CRADDOCK BEANEY: Mr. President, I'd like to present to the House the House Committee Report and ask that it be laid on the Table.

The Committee appointed to deal with the naming of the House, on providing the necessities for the building and its surroundings met on the 17th March, 1976 to deal with matters that we felt were necessary and very essential for the building and its surroundings in the different phases. And this was gone into very thoroughly, and the following report made and presented to Members.

I am sure that most Members remember discussions being raised in the House about the fencing of this property, the surroundings, to keep unauthorised people off of the property, and as well as to enhance the surroundings of the property with a good,clean and neat fence. The Committee felt that it was time for this to be dealt with at the earliest convenience to the Government, rather than the building and surroundings be left open to the abuse of the public.

We felt again that those fountains that were placed on the outside in the beginning when this building was built and when it was opened; they did appear to be very attractive and at that time seemed to have been working - which I thought and hoped that it would be a continuation of this, not saying that they wouldn't break down sometimes, but they didn't seem to intend very long there - from time to time I have seen a number of repair work going on with these fountains, but still it seemed to be no success. I think they are very somewhat disagreeful looking - being in the front of this building on one of the main streets in the front of a seat of Government and to be left in the deplorable manner that they mostly seem to be in - a catchment for dirt, leaves, cans and anything else that may go along with it. We feel that these should be gone into and some renovation made and probably that some sort of water plants, water lillies of some description that could be planted in there; fill them and put in that the minimum flow of water then would have these plants alive and help beautify the front of this building. And that's another thing that I hope will be more taken care of - there seems to be a contractor to the up-keep of this compound, that that will be embodied into their work.

Again, we have the associated members of the CIA. The Committee has recommended that during meetings of the CIA that the associated Members should have some privileges when these meetings are held. The Committee recommends that particularly during the State Opening of the Legislature, Legislators special seating arrangements to be made in the area where heads of Government Departments sits and that all CIA Associated Members as Justices of the Peace be allowed seats therein; such as the meeting that is coming up next week, the State Opening. Those Members that are Justices of the Peace should be considered and have priority in the seating arrangements where other Heads of Government would normally sit as well.

We further again went into the seating arrangements in the Gallery, which is not so happy in the manner that it is laid out. One part of the time seems to have to stretch their necks to see over as to what might be going on, and the recommendation is that it will be altered in a way that when you sit up the one in the back will be able to see, everybody will be able to sit down and not to have the uncomfortable sitting of having to

MR. CHADDOCK EGANS CONTINUING: attention over. Well, we did have an increase on this some time ago, but it still seems to have fallen in the bottom of the bucket and never was taken out - as always, so many times money is not available, but we trust that since we seem to have a flow of some revenue from some sources continually now, I wonder if the Financial Secretary would not be able to rip off a little bit off the oil royalties and place it to the comfort and the luxury of our people who would like to sit in while meetings are in session.

One other thing that appears to be a very sore eye something, and it has happened many a time and it remains for days, garbage, rubbish, the left over from all of the functions that are held in the Town Hall. Whoever is carrying out all of these functions throw all of their rubbish between the two buildings and it remains there for weeks sometimes. Nobody seems to be responsible to move it after it is placed there. We are asking that this should be dealt with by whoever makes application for the use of the Town Hall, that when it's granted to them they be given so many hours after their function to have the surroundings clean and swept - I know we've got some cave-taker, but I don't know if it is his responsibility to move the garbage, no it ought to be the responsibility of those who are using the Hall to have this garbage moved and not to remain there for weeks so as a disagreeable looking something; and again, along side the seat of Government.

We further took a look at the steps entering into this building. A building just a few years old, it hasn't even been completely primed yet, we would say, and all the facing of the front steps or so much of the facing of the front steps is falling off. We are asking that this be looked after, and the facing of the steps be replaced and painted to make it again not look like a new building sleeping to please before it is even got out of the stage of infancy.

I guess that the public realizes that there are a lot of Bills, they are hearing about a lot of Laws being passed, amendments to Laws, well, we are running out of space to store anymore of the Laws or the Amendments to the Laws. And when they make amendments to a Law, when it's a bit of paper we'll simply so the Government can have a lot of these for sale, and we must find space and place to put them. There are two rooms upstairs that are being used to house the Laws, they are overcrowded and it is full that we will have to make some other changes to find some ways and means to make some further addition to find place to further stock these laws. It has been proposed that on the back of those seating spaces up there that something could be built in the back of them that would not interfere with the structure or the rest of the building that could further housed and place the growing quantity of Laws that are coming up rapidly, that would be done on both sides because those spaces presently are not being occupied for anything, it's just a wide walking space, but it would be left with a walking space to go around, so that is a further necessity. The Library is being plundered now with laws simply because there is no other place for them, and it is not the right place for the Laws to be stacked along in the Library.

So, Mr. President, as I've said, we went into this carefully and made thorough examinations, and I trust that we will be able before the end of this year to have covered or done something about these necessities. However I think it is the one building that ought to be or ought to have first priority in most cases except the Hospital or schools I would say, but other than that this building and its surroundings ought to be one of the best kept buildings in the centre of George Town since it's the seat of this Government of this country and its people. And I would like to see the recommendations made by the committee carried out at an early or the most early convenient time as possible. I thank you.

MR. PRESIDENT: The Report is ordered to be laid on the Table. Does the Member wish to move for the adoption of the Report?

MR. CRADDOCK EGANS: I move that the Report be adopted, Mr. President.

MR. PRESIDENT: Is there a seconder?

HON. TRUMAN M. BODDEN: I seconded it, Sir.

I think, Sir, that the Report is well thought out and I commend the Chairman on it. We have a good building, but like he has stated we must keep it in good repair, Sir. Thank you.

MR. PRESIDENT: Well, the motion is not opposed. I shall put the question forthwith.

QUESTION PUT: AFFIRMED. THE COMMITTEE'S REPORT WAS ADOPTED.

CLERK: Report of the Public Accounts Standing Committee.

THE PUBLIC ACCOUNTS COMMITTEE'S REPORT LAID ON THE TABLE

MISS ANNIE H. BODDEN: Mr. President, I beg to report and lay on the table the report of the Public Accounts Committee to the Legislative Assembly.

The Public Accounts Committee was set up by the Legislative Assembly for the life of the Legislature on the 8th day of December, 1976 with the following terms of reference:-

> For the examination of the accounts showing the appropriation of the sums granted by the House to meet the public expenditure, and such other accounts laid before the committee as the House may think fit.
>
> The authority for the establishment of the Public Accounts Committee is provided by Standing Order 74 of the Legislative Assembly Standing Orders, 1975, and the Committee also has the power to send for persons, papers and records.

The following were appointed to the Committee:-

MISS ANNIE H. BODDEN - CHAIRMAN

MEMBERS

Mr. Benjamin Smith
Mr. Craddock Ebanks
Capt. Keith F. Tibbetts
Mr. John D. Watson

The Committee held ten (10) meetings - the 10th May, 1977, 5th July, 1977, 6th July, 1977, 12th July, 1977, 1st September, 1977 and the 7th September, 1977. The attendance of these were as follows:- At all meetings, Annie Huldah Bodden, Mr. Benjamin Smith, Mr. Craddock Ebanks and Mr. John D. Watson. At meetings held on the 10th May, 1977 and the 12th July, 1977 Capt. Keith Tibbetts. In attendance also at these sittings were Mr. Louis Monnieffe, Chief Accountant, Mr. Samuel Ramirez, Acting Internal Auditor. Examination of Heads of the Departments, the following Government officials were examined in connection with the points raised by the Auditor General in respect of their Departments:- Chief Accountant and Acting Internal Auditor, Treasury Department, Clerk of the Courts from the Courts Office, the Manager of the Government Savings Bank, Collector of Customs, Customs Department, Postmaster, Postal Department, a second meeting was necessary because the committee was not fully satisfied with the replies to the queries, and at the second sitting the Principal Secretary for Works, Communications was asked to be present and assist. The Chief Medical Officer, Personal Health Services, a second meeting was necessary because the C.M.O. had been newly appointed to the post, and it was necessary for him to have additional time to investigate the queries and provide the Committee with essential information. The Chief Engineer from the Public Works Department, Commissioner of Police from the Police Department, Deputy Registrar of Companies.

I would say, Mr. President, that all these accounts were very thoroughly gone into, and while we were not satisfied in some instances with some small matters, nevertheless, they were adjusted to our satisfaction. I feel Sir, that this is a very important committee and that we who have been appointed to be Members should take this matter very seriously, and I would say, Sir, that I had some very able members on the committee. And

MISS ANNIE E. BODDEN (CONTINUING): I would like to say at this point Sir, that I must publicly say that the assistance given to this Committee by the Clerk of the Legislative Assembly, it cannot be over praised, because the Clerk was there to give every assistance and she did so very happily, not grudgingly but very happily. The Members from the Heads of Departments who were called upon all very co-operative and they assisted greatly.

I feel, Mr. President, that we have a good thing going, and this Public Accounts Committee is authorised according to the appointment to look into these matters very carefully, and I feel that we have done a fairly good job. I hope Sir, when the next report is before us that we shall be able to go even more fully into the matter, because this was a little late in getting the matter started, but now since the accounts are ready we shall go into the matter and I hope Sir, that with the assistance of the Heads of Departments and the Clerk of the Legislative Assembly we shall be able to report even a more comprehensive report on this very important matter.

I thank you, Sir.

MR. PRESIDENT: The Report is laid on the Table and it will be recorded in the Minutes that the Report has been duly presented.

MISS ANNIE E. BODDEN: Mr. President, I respectfully ask that this report as submitted be adopted.

SECONDED BY: CAPT. KEITH P. TIBBETTS

MR. PRESIDENT: If there is no opposition to this motion, I shall put the question forthwith.

QUESTION PUT: AGREED. THE COMMITTEE'S REPORT WAS ADOPTED.

THE PETROLEUM HANDLING AND STORAGE LAW, 1978

FIRST READING

CLERK: The Petroleum Handling and Storage Law, 1978.

MR. PRESIDENT: The Bill is deemed to have been read the First Time and is set down for a Second Reading.

SECOND READING

CLERK: The Petroleum Handling and Storage Law, 1978.

HON. V.C. JOHNSON: Mr. President, I beg to move the Second Reading of a Bill entitled "The Petroleum Handling and Storage Law, 1978".

Mr. President, the purpose of this Bill is to enable the granting by the Governor in Council of concessions to handle and transport petroleum and petroleum products in the Cayman Islands, and secondly to provide for the regulation of all aspects of handling, storage, refining and transportation of petroleum and petroleum products with a view to ensuring that the Islands are protected against hazards of all kinds arising from such activities, including pollution of the environment.

Mr. President, another purpose for this Bill is because the Government is just about to embark on the granting to Cayman Energy Limited an exclusive right to construct, develop, maintain and operate a petroleum transfer terminal facility on the Island of Little Cayman. I think much publicity has already been given to this proposed development, and a few

HON. V.J. JOHNSON CONTINUING: weeks ago the Government issued to the Company, Cayman Energy Limited a letter of intent which will now be followed by a franchise which will cover a period of operation of thirty years. It is thought, Mr. President, that the franchise or the concession to Cayman Energy Limited should have legal backing and be authorized by legislation, and this is why it is now necessary to introduce the Petroleum Handling and Storage Law.

The law, Mr. President, is very short, in fact the Section, Section 2 which gives the Governor in Council authority to grant the concession or a franchise is the only one short, because it reads "It is lawful for the Governor to grant concessions under this Law".

Mr. President, the Schedule to the law was not completed however at the time of preparing the draft the full information was not available. However, it is now ready and will be circulated when we go into Committee to study the Bill Clause by Clause. The Schedule is merely to name those companies that are now established in the Cayman Islands that are dealing in petroleum and petroleum products, in fact there are only three such companies but a rider will be inserted in the Schedule to say that such other persons as may be specified by the Governor by notice in the Gazette, so that if any company should at this stage be inadvertently omitted, then they can be added at a later stage.

There is another amendment to Section 2, the interpretation, the Clause dealing with "petroleum products", and we will deal with that during the Committee stage of the Bill.

Mr. President, as I've said before, the Bill is a very short one. The reason for its urgency has just been stated, and with these few remarks I will ask Honourable Members to give their favourable consideration to the Bill. It is proposed to take the three readings today, and I will be moving suspension of Standing Orders for the Third Reading at the appropriate time. Thank you, Sir.

MR. SPEAKER: The question is, that a Bill entitled "The Petroleum Handling and Storage Law, 1978" should be read the second time. The motion is open for debate.

QUESTION PUT: DEBATE ENSUED.

MR. GEORGE C. SMITH: Mr. President, this Bill has been circulated for a number of days and I have had the opportunity to study it somewhat.

I would like to question a number of possible irregularities. Under Section 4 paragraph 4(a) "handling and transportation of petroleum in quantities of 100 gallons or less". It would appear to me Sir, that the Company or Companies involved with transporting fuel from the terminal to various points, for example, C.I.D., Holiday Inn, may be posed a special problem if the number 100 gallons is used.

Another point of interest I like to bring out or point out is that certain places, for example, Northwestern Bank, Kirk Home Centre, Cayman Water Company and the Turtle Farm have their own private generating sets. As a result they're required to store quantities of fuel in excess of 100 gallons, and I'm just wondering whether the regulations stated here would impose any unusual problems on these premises.

Another point I am a bit concerned about, Sir, is that under Section 4 paragraph 4(b), it says, "for except fuel carried by ships and aircraft for purpose of their own propulsion", but as I understand it, while fuel transported to the Lesser Islands is taken in bulk, and I am wondering as my constituency, will this particular Bill affect the ship operators in any particular way so as to increase the rates charged for transporting fuel from the Cayman Island to the Lesser Islands or I should say, to Cayman Brac and Little Cayman. And I think this is something that could possibly be explained or expressed in the Committee stage Sir, but I think that it is only fair for me to bring these few points to the other Members in this Assembly.

Thank you.

HON. H. HAIG HIRSCHAN: Mr. President, the Bill before us today, although as brief as my own speech will be, is to my mind a strong example of the faith of the foreign investor in the Government of the Cayman Islands. We have had investors before but never in the history of these Islands have we seen an investment of such magnitude, and to think that this type of investment should come on the Caribbean at a time when many of the Islands in the Caribbean are suffering from the incompetence of the leaders of Government in many of those countries, this Bill is really a tribute to the Government and to the people of the Cayman Islands.

The story of this project started many years ago, they were delayed, but once it got on the way there has been no stopping. I would like to personally congratulate Cayman Energy for their marriage with the Government of the Cayman Islands. This Bill as it says in the title is only to allow the handling and storage of petroleum products. I want to emphasize this, because only in the last issue of the Newspaper I was misquoted and the public were led to believe that Cayman Energy will be given mineral rights when they receive this franchise. The comment did not surprise me, however I have ordered a hearing aid for the writer of that letter. This Bill specifically states that this Government can enter into a franchise or to give a concession to a company to handle and store petroleum products, it does not give them any right to anything that may be under the Continental Shelf as was stated in James Laurence's letter in the Compass last week. So I want the people of these Islands to be assured that this Government is not giving away the mineral rights of any mineral that may be under the ground or above the ground in this Law. This is a law to allow a particular Company or any Company that may be given a concession to handle and store petroleum products.

I commend the Bill to the Members of this House and I would say, that since the coming of National Bulk Carriers, and since the coming of the off-shore Banking and the Tourist Industry we have never had a project which can mean more to the economy of these Islands than this particular Law.

CAPT. KEITH P. TIBBETTS: Mr. President, it affords me great pleasure to stand here today and support this Bill or a Law to control petroleum products in the Cayman Islands. I believe every Member of this Honourable House will agree with me that I have spoken ever since we were elected to this House about the necessity of an inspector for the oil transfer facility that is now being used. And this law has given this Government the authority to appoint such an inspector. I have served my time in the transfer of oils for quite a few years and it had worried me, it had disturbed me to know that we were handling oil to the extent that we have done in the past eight or nine months in the Cayman Islands without a proper control.

As far as the Law is concerned I don't think or I can't suggest any amendments to this Bill that would really be necessary, because the guiding factor of this is the regulations that have to be made. As far as I'm concerned those regulations are going to have to be given weeks, probably months thought with expert advice and to put them in their right perspective. The petroleum products can be handled with all safety providing it's done in the right way, and there again they can be the most explosive products in world if they are not done in the right way. And I think that our regulations, which we trust and hope will be made according to this Law and according to the International Standards laid down by other countries for handling petroleum, which I for sure we have to be guided by, to bring all of this to a pleasant and profitable ending, once we get this Law passed into effect. Thank you.

MISS ANNIE H. HODGES: Mr. President, I support this Bill. I feel, Sir, that, although I'm not liked by the present Government Members and a lot of the other Members I must give credit where credit is due, and I feel that if, if they haven't done anything else that pleases me they have done this good work to get this Cayman Energy Company lined up whereby our Government can receive benefits, and not only our benefit but the people of the Cayman Islands as a whole.

Now, I will say, Sir, that we need proper legislation to govern such a venture. I feel sometimes when I see these tanks up at - I think they call the place "Jackson point" that we've not had in the past some

MISS Annie G. HANSEN CONTINUING: excellent representatives - but ones who were really looking out for themselves, we would not have no questions today as to where our Port should have been. Had we in those far off days been far-sighted enough to compel that there tanks be put in the North Mound we would have had the dock there by now I'm sure. And I feel Sir, that from the time those storage tanks were put there that we had neglected in not getting proper legislation to take care of the situation. And I am happy today that this Bill is before the House.

There is only one point in it that I would like some explanation on, and it is this, in section 5 "This Law is not binding upon the Crown". I don't exactly understand what that means, Sir, and I would like some explanation as in regards to that. Other than that, I think it's a well prepared Bill, and as has been said, we need good, strong, proper regulations to accompany this Bill, and I am sure that will be done when necessary. I thank you, Sir.

MR. CHADDOCK EVANS: Mr. President, I too would like to give my blessings to the introduction of this proposed Bill. It does us in order to make the inhabitants of these Islands at this stage realise that we are on a continued upward trend and not a downward trend as what has been attempted to feed the public with over the months. Meeting a number of investors coming into this country from time to time we made it abundantly clear the reasons for coming in here to do business, because this country stood for a good, clean democratic Government. And if that had not been the case, and if we didn't stand for the same today we wouldn't have had the opportunity of enjoying the privilege of this multi-million of dollars investment to go into one of these Islands which will benefit all three of these Islands.

I am positive that the investigators seeking for such an establishment in these Islands are not idiots, they wouldn't attempt to spend these hundreds of millions of dollars if they were not satisfied that it is a good, clean Government. If I remember correctly Capt. Van der Linde, I heard him said, they went as far as purchasing land in Dubai for this purpose, but for other reasons they changed their minds and came and investigated here and found that this was the most suitable place. So they made their attempts - their investigations, they were successful and here we are faced with one of the biggest investments that this country, I suppose for many, many years to come will ever have such an investment to that extent again.

In the twelve, sixteen, eighteen months or two years construction of these facilities for storage will be somewhat unlimited work for those that can qualify for it and those that will work. Besides that, there will be a numerous amount of life-time jobs for people that will qualify for these positions again, because this will go on and on and on we hope never for a disaster. So when something like this is being offered to this country then we're really being blessed, being blessed with a fortune. It's neither surprising that it hasn't been stated that it's going to mean Government a lot of money, but we will have a continuous flow of revenue regardless of how little or how much, it will be a continuation of this. We can always look forward to the million as the years go by, and I trust that within the time of their franchise in the thirty years that everything will be so well, revenue flowing - we may not be then to the place where we'll have to dig and scratch our heads - I won't be here I don't suppose unless they get another eighty on to it anyway, and then I may be here. But to those that come behind, they will not have to burden this country into taxation as has anticipated that will come over night now, but there will be as I've said, an avenue for a continual flow of some revenue. I know as we grow we'll need more money, the population will be growing, the amenities for the benefit of the country, schools, education, students for higher learning, all will take money. And to run the country properly, then there will be more money required, so this would be one avenue that we would be receiving a lot of money year after year.

So, Mr. President, as we go into the committee stage of this I will ask a few questions on a few items, but the main thing is not the less at this time it's that regulation which will actually be a comprehensive one. I feel with the ingenuity of the Second Official Member to work on this, he will bring up what is good in the way of our regulation, and I am sure that he will not have any claims interest in going into this, but that is the main crux of the thing to have this regulation to cover, guide and protect Government

MR. CRADDOCK BANKS (CONTINUING): and the investors all the way. I thank you, Sir.

HON. CHARLES L. KIRKCONNELL: Mr. President, I could not allow this Bill to be passed before I paid my personal gratitude to you as the Governor of the Cayman Islands. As you are aware, Sir, this project had been around from 1974 and it was not until the 1976 election, when we were again approached by Cayman Energy Limited asking for a franchise to establish a ship to ship transfer loading arm to a ship to shore installation. As you will recall Sir, it was the Second Elected Member, the Fourth Elected Member and myself who came to your office and we asked your help, and you fortnight gave us this help and called London who agreed that we could enter a ship to ship transfer. Had it not been Sir, for you co-operation and help we would not have before us today this Bill which will enable this Government to sign a contract with Cayman Energy Limited.

I am sure that the people,not only of Cayman Brac and Little Cayman would derive a benefit, but it will be the entire population of the three Islands. I hope that God will bless this project, and I'm asking each member of this Legislature to support this Bill. I thank you.

HON. TRUMAN M. BODDEN: Mr. President, I think that the introduction of this Bill and the passing of it is probably going to be one of the greatest things that has happened to this country, perhaps in its history. It will provide a substantial flow, a substantial high flow of money into the economy both in the form of employment and direct and indirect revenues to the Government. I think that I can safely say that this is the first real substantial revenue that this Government has seen perhaps in the last decade, for a long time revenues have been derived from increases in the traditional areas of the financial centre, duties and that sort of thing. And the revenues from this rather will be very substantial,and I think that undoubtedly everyone will be benefited by it. As does Mr. Duffy has mentioned show that there is faith by undoubtedly an investment which is substantial in terms of any country whether it is big or small, and it is in a form which is in a fixed asset form, and it therefore shows that we do have the faith of Cayman Energy, Merrill Lynch and many of the others that will be involved in this.

I am also grateful to yourself and to the other Members who have helped in putting this together and putting the agreement together, and especially in negotiating the 5% interest at a time really when we began from scratch just after we got in to the election, so really nothing had been done over the past few years on it.

As Mr. Craddock mentioned, I am sure that the regulations relating to anti-pollution and anti-spills will be tight and that within human capability we would hope that it would prevent at least the majority of anything which could be detrimental to any of the Islands. I support this all the way. I have been living with all in my mind for a very long time now, at least during the last nine months that we've been trying to deal with this, and it would be good to see this finally completed and to see the construction begin.

I also take Mr. Smith's point that perhaps the limitation in Section 8 subsection 2(c) on the hundred gallons may be somewhat small, and perhaps that can be dealt with in the committee stage. I would ask Members to support this. I think that if we leave behind a monument of this sort, which I assure you the tanks will be a lot bigger than any of the monuments that they have built before, that it will I think undoubtedly enhance the Islands and the people as a whole will be benefitted by it. Thank you, Sir.

HON. PRESIDENT: Does any other Member wish to speak?

HON. JOHN M. DUFFY: Mr. President, it's difficult to speak on a subject like this because we have no opposition on it and I like to talk when there is opposition. But I would like to join with the words that have been expressed here this morning,particularly with the words from the Third Elected Member to

HON. JAMES M. BODDEN CONTINUING: Executive Council in paying tribute to yourself for the assistance that you gave us when we took office in helping us to bring this to a happy conclusion. I would also like to pay tribute to all the members on the Official side of Government who have participated in this and ably assisted us, particularly the hard work that has been done by the Attorney General. I know on many occasions that he's probably gone many a night more or less sleepless because this has taken a lot of legal work to put together.

And I would also like to pay tribute to the tenacity of Capt. Van der Linde in staying with this project for nearly four years to bring it to this stage. I think it speaks very good of what we may expect from him and his colleagues in the future. This is a big investment, we've had many talks with the financial people involved, which is being done by Midland Lynch and Company, we have had them here from the U.K. based company as well as the New York branch of the company and all of the discussions with them have really been very enlightening. I am proud to know that in all of the discussions that we had with these people that we could hold our own and even be told by London that we had put together a wonderful piece of legislation. And I can only hope that in the years to come that this will be as beneficial to the country as we hope it will be. And it is one venture that will provide a lot of jobs, it is something that would be hard to stay, an investment of a hundred and fifteen million dollars does not just take off and leave the next day, it is something our people know something about so we should be able to fill quite a few of the jobs with local people. And over the years the revenue that this can bring to Government without us having to put anything out will be a astounding to some of these mathematical geniuses when they got to figure it.

At this point, Sir, once this commences even probably in about the third year the royalty to Government would be nearly enough to pay one of those old used jets. So, Mr. President, I commend this Bill to the House and I thank all the Members for the support that has been given to it.

MR. GARSTON J. SMITH: Mr. President, I have listened very carefully this morning the remarks made by Members of this Honourable House, and at this time I want to join wholeheartedly in giving this motion my support this morning.

Mr. President, this could mean much to the economy and to the people of the Cayman Islands. It is understood that this venture could yield millions of dollars into the Treasury of these Islands. And this morning I want to congratulate you, Mr. President and your Executive Council for a job well done. This morning I support this motion most wholeheartedly. I thank you very much, Mr. President.

MR. PRESIDENT: If there are no further speakers I'll ask the mover if he wishes to reply.

HON. V.G. JOHNSON: Mr. President, first of all I would like to thank all the Members who spoke for their support of the Bill and for their contribution to the debate. I would also like to thank those who paid compliments to yourself and to other Government officials.

I think it is for me to also pay special tribute to the Elected Members of Executive Council whom I considered are very tough bargainers, they did a most wonderful job on the committee which was elected by Government and consisted of all Members of Executive Council except the Governor to negotiate this agreement with Cayman Mercy Limited. I am sure that the result of what was achieved in that negotiation cannot be beaten anywhere, I think I can safely say that, and we gave a great say in the compliments which I paid to the Elected Members for the part they have taken, for the effort they have devoted to the work of the committee for the assistance in Government achieving the best of the deal and ultimately for what has been achieved.

As you know, Mr. President, the main points on the meat of the agreement is considered trade secret and it is not possible to make public statements of this, it has to remain fairly confidential. However, I am sure that you will be mentioning this shortly on some aspects of it.

The Honourable Member for George Town made comments in Section 8 subsection 4(a), and Mr. President, he is quite correct in pointing

HON. V.O. JOHNSON CONTINUING. out that there will be quite a number of companies and persons who will need to be considered especially in the promulgating of Regulations. I would also point out that under the provisions of Section 7 subsection 2(a) which he queried that those applicants - those persons handling and transporting petroleum in quantities of one hundred gallons or less are people who are exempted under the Law and who will not need a license to operate. If they are transporting petroleum products over and above that quantity they must be licensed under the Law. And this will be dealt with in the Regulations and made quite clear as far as the interpretation is concerned.

Secondly, Mr. President, the Lady Member for George Town made comments on Section 3 and asked why the Law is not binding upon the Crown? Well, the reason is that there is no need for the Government to give itself a license to transport fuel, I think it goes without saying that the Government is usually exempted from these provisions, and this is the reason why it is only quite clear on the fact that the Crown will be exempted from the provisions of the Law.

MR. PRESIDENT: The question is, that a Bill entitled "The Petroleum Handling and Storage Law, 1970" be read the Second Time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

HON. V.O. JOHNSON: Mr. President, I beg to move Sir, that the House resolve itself into a committee of the whole House to consider the Bill entitled "The Petroleum Handling and Storage Law, 1970" clause by clause and amend as may be deemed necessary.

MR. PRESIDENT: The Honourable mover of the Bill has moved that the Assembly move into committee to consider this Bill clause by clause and amend it where deemed necessary.

QUESTION PUT: AGREE. THE ASSEMBLY MOVED INTO COMMITTEE.

COMMITTEE THEREON

CLERK: Clause 1. Short title.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: Clause 2. Interpretation.

QUESTION PROPOSED:

HON. V.O. JOHNSON: Mr. Chairman, under the interpretation of "petroleum products" on the last line, which reads "more than 50 higher than its initial boiling point", it should read "more than 50 degrees centigrade". The symbol for degree should be used and the word "centigrade".

HON. D.H. FOSTER: Mr. Chairman, I think there is also a spelling mistake in the word 'Bitmen', shouldn't it have a "u" Sir?

HON. DAVID P. DAWICK: It should.

MR. CHAIRMAN: Unless there is any objection, I put the question that Clause 2 as amended by these suggestions from the Honourable mover and the Honourable Chief Secretary, stand part of the Bill.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, the connotation, is it "fahrenheit" or "centigrade?" I know .....

MR. CHAIRMAN: Centigrade, I believe. I'll put the question that Clause 2 as amended stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: Clause 5. Governor may grant concessions.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: Clause 4. Application to Local Companies (Control) Law (Revised) and Companies Protection Law (Revised).

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: Clause 5. Crown not bound.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: Clause 6. Implementation.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: Clause 7. Regulations.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: Clause 8. Penal.

QUESTION PROPOSED:

MR. GEORGE C. SMITH: Mr. Chairman, as I've said, I am concerned about the limitations, not so much from the transportation point of view but from a storage point of view. I feel that we - I'm not sure whether the 700 should be increased or whether a special condition should be made in the Regulations such that a person storing X number of gallons of fuel for his own consumption will not be subject to all the regulations that may be applied to a large bulk storage. I'm really not sure just how this would be handled.

HON. DAVID H. DARWICK: Perhaps I could help the Honourable Member, Sir. The exact details of the Regulations themselves are still to be worked out, we will need to consult with experts on the storage and handling of oil from all over the world, and the Honourable Member can rest assured that there won't be unnecessary restrictions and limitations put on people and manufacturers in regard to the oil that they need to store for the purposes of their own businesses. It may well though that such advice will include advice that there should be some safety precautions taken where fuel, particularly petrol is being stored in bulk, such as being away from naked flames and things of that sort, and for those reasons and without that advice it's not possible for me to tell the Honourable Member in detail what the Regulations will contain, but at the same time I'll give him the assurance that I've just stated.

MR. CHARNOCK EBANKS: Mr. Chairman, if I may ask Sir, further in connection in dealing with these small amounts would they have to obtain a license for such operation as that then as well?

HON. DAVID H. DARWICK. I don't see that I can add very usefully to what I have already said in reply to the question Honourable Member Sir. If licensing or some type of permit is required in the case of storing more than one hundred gallons of fuel the conditions to the granting of those licenses will be minimal I'm quite sure, and it may well be that the Regulations themselves will take into account the points that have been made and that the limits will be much higher than the hundred gallons. That is merely the overall assumption which puts people beyond the scope of the Law completely in relation to the smaller amounts.

HON. D.H. FOSTER: Mr. Chairman, how I think this probably will work Sir,

HON. U.W. AOSTER CONTINUING: anything under one hundred gallons and under, no license - this is what it says here, but anything over - I'm specifically referring to the Member from George Town who has mentioned this - is that the company, suppose it is bought, handled and transported by Esso, Esso will be the person with the license and they deliver it safely to Home Centre where they have their own plant and storage. If the storage is two hundred and fifty or three hundred gallon that does not involve the Home Centre or the owner is involves the company doing the transportation of stuff. That's how I look at it Mr.

MR. CHADWICK STAINES: Mr. Chairman, I don't mean to try to break through to controversy out of this, I'm not attempting that, it's just the matter to get something clarified. But say, like Cayman but industrialization doing a dredging project that would use up approximately fifteen hundred gallons of fuel every two to three weeks, how would those kind of people and other similar ones be treated? This was what I was trying to .....

HON. DAVID E. DARWICK: I think from this side of the House, I can say that we can still ensure that all these things will have to be gone into in detail with the advice of our experts. I am able to say that the figure of 100 gallons is one that already appears in the legislation of a number of other countries, but I'm also able to say that they tend to treat of those Regulations different types of fuel in different ways, but it would probably be no licensing or no precautions to be observed if they were merely storing fifteen hundred gallons of heavy diesel fuel. On the other hand it may well be that a hundred gallons of highly volatiled aircraft octane will have to be stored in a special place away from buildings, away from naked flames and things of that sort. But as it's so complicated and as there are such a number of different products covered by this I am afraid it's impossible at this stage to give any useful and comprehensive answer to the Member.

MR. CHADWICK STAINES: Mr. Chairman, I accept that and I quite realise that in dealing with this then the different types of fuel would have different requirements or needs to be met. So I wouldn't have any further question to ask on that.

HON. THOMAS M. BODDEN: Mr. Chairman, I was just wondering if perhaps - I respect the Attorney General's submission on it, I am wondering if it would be more in keeping if we perhaps increased it a bit, say five hundred or something, because there are going to be a number of places - little places still - you know, a little bit of diesel or kerosene or those things. I am just wondering if you thought perhaps Mr. Attorney General that was a little bit, I think may take it out of the perimeter of the every-day type of thing, and it's not really a big increase.

HON. DAVID E. DARWICK: The Government's imperial gallon as our laws are governed at the moment, and this will enable two forty-four gallon drums plus a partly filled forty-four gallon drum to be stored in one place at the one time. I am wondering whether that would be - as certain fuels are very highly volatiled and very dangerous, and as this will cover work places and factories and things of that sort as well as may be shops and other places to which the public are admitted, I would see merit in not making the figure too high, but I've got no expert knowledge of this subject myself Sir, I'm not really able to speak with any authority on the question. The Honourable Member who is an engineer may be able to give us more .....

HON. THOMAS M. BODDEN: Sir, I take the Attorney General's position, I'm not questioning I was merely trying to suggest what could have been probably a solution to it, but I do agree with you that a hundred gallons of gasoline can go a long long way. From that point of view - on the other hand I know it's going to catch up a lot of people.

HON. V.G. JOHNSON: Mr. Chairman, another point is, that the exemption here pertains only to handling and transportation of petroleum and petroleum products, it says nothing of storage. It includes storage? Sorry.

HON. JAMES M. HODGEN: Mr. Chairman, I feel like it's a minor point in one sense and it's the point which we've not qualified to deal with here today, and I think that we will exercise every diligence to see that nobody gets hurt under it. And the Members of the House can be assured that we'll probably bring them back and discuss it with them privately before we do anything anyhow, Sir. So, I suggest that we leave it as it is worded for the time being.

CAPT. KEITH F. PEARSON: Mr. Chairman, I don't say that this should be such an issue actually, I quite agree with the Financial Secretary with what he said, "It's only for handling and transportation of petroleum in quantities of one hundred gallons per lease". I feel that a lot of these clauses may have to be amended when the Regulations are made, because the Regulations are really what this bill about. We are just passing a Bill into law to make Regulations and with my experience in handling of bills the Regulations is what's going to really be important. As the Attorney General has said, the Regulations have to be drafted and worked out by experts and I feel confident that a lot of these clauses under 8 will come back for amendment once the Regulations are drafted, and I don't see we should let this be any problem whatsoever to us in passing the Bill because as sure as the world, I can almost guarantee here today that this law is going to come back into the House for amendments once the Regulations are made up. Because I don't think we have yet any accurate information on the Regulations that should be made to this matter.

And while I fully agree that 100 gallons of storage or handling and transportation wouldn't seem right in a lot of cases, but I say again, that when the Regulations are made I'm sure that that's going to have to be in so it, what can be handled safely and what can't. So, I wouldn't argue over it at all, I'll just depend on the Regulations.

MR. CHAIRMAN: If there is no further debate I'll put the question.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: Clause 9. Savings.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: Schedule.

MR. CHAIRMAN: The question is that the Schedule stand part of the Bill. I'm not sure whether the amendment has been circulated.

HON. V.H. JOHNSON: Yes. Mr. Chairman, the amendment for the addition to the Schedule is as follows:- Delete the words "to be published" in brackets and insert -

"Esso-Standard Oil S A Ltd.

Amoco (Bah.)

Home Oil Ltd.

and such other persons as may be specified by the Governor by notice in the Gazette."

MR. CHAIRMAN: Well, the Schedule is as printed on the page 6 of the Bill and it is proposed to amendment as set out on the paper circulated to Members, and as read out by the Honourable Member of the motion.

If there is no further debate I'll put the question that the Schedule as amended do stand part of the Bill.

QUESTION PUT: AGREED. THE SCHEDULE PASSED AS AMENDED.

CLERK: A law to provide for and control the storing, transportation, refining, and general handling of Petroleum and Petroleum products and for incidental and related matters.

QUESTION PUT: AGREED. BILL PASSED.

MR. CHAIRMAN: That concludes consideration of the Bill in committee. The Assembly will resume.

HOUSE RESUMED

REPORT THEREON

HON. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled "The Petroleum Handling and Storage Law, 1976" was considered clause by clause by a committee of the whole House and passed with the following amendments. In Section 2 under the interpretation of "petroleum products" in the third line a "u" is added to the word 'bitmen', it now spells "bitumen". In the last line after the figure 60 the word "fire" is removed and replaced by the symbol and words "60 degrees centigrade". The symbol for degrees is inserted above 60 and the word "centigrade" added. The Schedule to the Law is amended as follows:- The words "to be published" are deleted and the following inserted:-

"Esso Standard (W.I.) S A Ltd.
Texaco Caribbean (Inc.)
Shell Gas Ltd.
and such other persons as may be specified by the Governor by notice in the Gazette."

There are all the amendments, Mr. President.

MR. PRESIDENT: You will be accordingly set down for a Third Reading.

THIRD READING

CLERK: The Petroleum Handling and Storage Law, 1976.

SUSPENSION OF STANDING ORDER 47

HON. V.G. JOHNSON: Mr. President, I beg to move Sir, the suspension of Standing Order 47 to permit a Bill entitled "The Petroleum Handling and Storage Law, 1976" to be taken through the remaining stages at this sitting.

MR. PRESIDENT: The question is, that Standing Order 47 be suspended to allow this Bill to be read the Third Time and all three stages taken.

QUESTION PUT: AGREED. STANDING ORDER 47 SUSPENDED.

HON. V.G. JOHNSON: Mr. President, I move that a Bill entitled "The Petroleum Handling and Storage Law, 1976" be given a Third Reading and passed.

MR. PRESIDENT: The question is, that a Bill entitled 'The Petroleum Handling and Storage Law, 1976" be read the Third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

ADJOURNMENT

MOVED BY HON. O.R. FOSTER

MR. PRESIDENT: The question is, that this House be now adjourn. Before putting the question I'll like to inform Members that I have been informed by the Secretary of State that my term of office as Governor has been extended until late 1979. I am very pleased that I should be given the opportunity to serve the people of the Cayman Islands for this further period and also this Honourable House.

I would remind Members that there is the Annual General Meeting of the C.P.A. this afternoon in this Chamber at 2 o'clock.

HON. JAMES M. RANKIN: Mr. President, I would like to make a few words here of thanks that the foreign office has seen fit to extend your term and we look forward to working with you for the interim of that term and hopefully even for longer than that.

Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, I wish to endorse that. I said a bit earlier when the Petroleum Tax was being passed, it was one of the greatest things that happened to the Cayman Islands, well, I can add that we have had two today Sir. You have the respect of this House and of the people of the Cayman Islands. I wish you and your family a happy stay here and may God's richest blessings be with you and your family throughout it, Sir.

MR. CRAIGNOR FOSTER: Mr. President, I would like to expressed at this time my happy feelings on hearing that news. I realize that you are human same as anybody else, but I trust that over the next period of time you will not find it too burdensome or will not be overworked to where you might think that this appointment wasn't made. But I wish for you and your family the best of everything during your remaining stay amongst us in these Islands.

MISS ANNIE H. DONDER: Mr. President, I would like to endorse that I am very happy to hear Sir, that you term has been extended. I will say, Sir, that although there is some quarrelling on the outside there is peace and harmony in the House very much better than has been in some instances in the past. And I feel Sir, that it's due to your kindly personality, your overlooking of our faults that has enabled you to gain the good will of the people. I would only ask you Sir, I suppose that 1972 - I have one year more if I live that long, that I shall be here in this assembly to be under you Sir, and the same good relationship which obtains inside this House - now I'm not saying on the outside because there is a lot of quarrelling going on, but inside it is a peaceful relationship. And I wish you and your family God's richest blessings, and I only implore you Sir, that if any of us get out of order that you will handle us and not let us dictate any terms.

Thank you, Sir.

HON. CHARLES L. KIRKCONNELL: Mr. President, I would like to endorse also my deep gratitude to the Foreign and Commonwealth Office and Secretary of State for extending your term here with us. I personally would like to say that since I have been in this House and in Executive Council I have enjoyed having you as my leader. I look forward Sir, not only to one year but I am looking forward to 1980 for them to extend your time, because we are providing all to pave on the breakwaters. We have one other problem, Sir, what do we do to solve the turbulence in the atmosphere? I think we shall soon find a solution to this, and that the remainder of your stay with us will be a pleasant one.

HON. V.G. JOHNSON: Mr. President, from the official side I would also like to add my quota with just a few words, to say how grateful we are to learn of the extension of your term for another year. I hope that both you and your family will be able to tolerate us for that length of time. I don't know at this stage who should be congratulated whether you or us, but nevertheless we are very, very happy to learn of your extension, and that we hope that your tour will be a very pleasant and happy one when you come to the end of it.

MR. PRESIDENT: I'm most grateful to Honourable Members for these remarks which I shall pass on to my family. I think we've perhaps covered the subject enough, so I'll put the question that this House do now adjourn.

QUESTION PUT. AGREED. THE HOUSE ADJOURNED SINE DIE AT 12:45 P.M.

MR. PRESIDENT: Although that's rather a technicality as we have already closed the term for the next meeting.

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON WEDNESDAY, 5TH APRIL, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E.,J.P.	FIRST OFFICIAL MEMBER
HON. DAVID R. DARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E.,J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. BALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN GARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE N. BODDEN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. E.P. TIBBETTS,J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS,J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE.
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

WEDNESDAY

5th April, 1978

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY

STATE OPENING - SEE PROGRAMME FOR CEREMONY

RESUMPTION OF THE HOUSE

1. PRESENTATION OF PAPERS:-

(a) ACCOUNTS OF THE PUBLIC LIBRARY AS AT 31ST DECEMBER, 1977
BY HON. V.G.JOHNSON, OBE., JP., FINANCIAL SECRETARY

(b) ANNUAL AUDITED ACCOUNTS OF THE GOVERNMENT OF THE CAYMAN ISLANDS FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 1976
ANNUAL AUDITED ACCOUNTS OF THE GOVERNMENT SAVINGS BANK FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 1976
TOGETHER WITH THE AUDITOR GENERAL'S REPORT AND COMMENTS TO THE SECRETARY OF STATE ON THE AUDITED ACCOUNTS FOR 1976
BY HON. V. G. JOHNSON, OBE., JP, FINANCIAL SECRETARY
WHO WILL MOVE THAT THE AUDITED ACCOUNTS (EXTERNAL) BE REFERRED TO THE STANDING PUBLIC ACCOUNTS COMMITTEE

2. STATEMENT BY HON. G. HAIG BODDEN, SECOND ELECTED EXECUTIVE COUNCILLOR, MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES AND CHAIRMAN OF THE EXECUTIVE COMMITTEE OF THE CAYMAN ISLANDS BRANCH OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION.

3. GOVERNMENT BUSINESS:-

BILLS -

(a) THE CUSTOMS (AMENDMENT) LAW, 1978. FIRST & SECOND READINGS

(b) THE CURRENCY (AMENDMENT) LAW, 1978 FIRST & SECOND READINGS

(c) THE HOTELS AID (AMENDMENT) LAW, 1978 FIRST & SECOND READINGS

(d) THE VETERINARY LAW, 1978 FIRST & SECOND READINGS

(e) THE CONTINENTAL SHELF LAW. FIRST & SECOND READINGS

(f) THE PETROLEUM LAW, 1978. FIRST & SECOND READINGS

FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON 5TH APRIL, 1978.
10:00 A.M.

HER STATE OPENING PROCLAMATION.

H.E. THE GOVERNOR: The Assembly is in Session. I shall ask the Reverend Neil Banks to say prayers.

REVEREND NEIL BANKS: Let us pray.

Almighty and everlasting God, / this opening of the new session of this Legislative Assembly, we pray for Thy blessing upon all in authority over these Islands, Her Majesty the Queen, Charles Prince of Wales, Philip Duke of Edinburgh and all other members of the Royal Family. For all the Ministers of Her Majesty especially those who have responsibility for these Islands, His Excellency the Governor, all the members of the Civil Service under him, the Executive Council with the heavy responsibilities of the day to day planning for the Islands, especially for this Legislative Assembly meeting at this time.

or We pray Heavenly Father that Thou would give each one of them/ Thy great guidance that all that is done here may truly be to the building up of these Islands, / the continued establishments of peace built upon righteousness and love.

Almighty God, bless each Member of this Legislative Assembly, bless thy people throughout these Islands, in Jesus' name we ask it. Amen.

H.E. THE GOVERNOR: Please be seated.

CLERK: PROCLAMATION NO. 2 OF 1978
BY HIS EXCELLENCY THOMAS RUSSELL COMMANDER OF THE MOST EXCELLENT ORDER OF THE BRITISH EMPIRE GOVERNOR OF THE CAYMAN ISLANDS.

WHEREAS by subsection (1) of Section 46 of the Cayman Islands (Constitution) Order 1972, it is provided that the sessions of the Legislative Assembly shall be held at such times and places as the Governor may from time to time by Proclamation appoint.

NOW, THEREFORE, under and by virtue of the powers vested in me by the aforesaid Order, I, THOMAS RUSSELL, COMMANDER OF THE MOST EXCELLENT ORDER OF THE BRITISH EMPIRE, GOVERNOR OF THE CAYMAN ISLANDS, DO HEREBY PROCLAIM AND MAKE KNOWN THAT A SESSION OF THE LEGISLATIVE ASSEMBLY OF THE CAYMAN ISLANDS shall be held at the Legislative Assembly Building in George Town, Island of Grand Cayman, at 10.00 am on Wednesday, the 5th day of April One Thousand Nine Hundred and Seventy Eight.

Given under my Hand and the Public Seal of the Cayman Islands at George Town on the Island of Grand Cayman, this 21st day of March in the year of Our Lord One Thousand Nine Hundred and Seventy Eight in the Twenty Seventh Year of the Reign of Her Majesty Queen Elizabeth II.

GOD SAVE THE QUEEN

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T H R O N E S P E E C H

DELIVERED BY HIS EXCELLENCY THE GOVERNOR

MR THOMAS RUSSELL OBE

AT THE OPENING OF THE LEGISLATIVE ASSEMBLY

ON WEDNESDAY 5 APRIL 1978

Honourable Members of the Legislative Assembly.

The address to mark the opening of a new Session of this historic legislature traditionally encompasses the performance and progress for the year that has passed and plans and projections for the year that lies ahead.

The Honourable Financial Secretary in his speech to the House on 10 November 1977, introducing the Budget for 1978, has already photographed, with his usual artistry, the background for 1977. Rather than reproduce a duplicate from a different view point I propose to enlarge some of the main elements in it and perhaps animate the later dates on the significant events of 1977.

THE PAST YEAR

The Caymanian Protection Law

One of the first actions of the new Government was the overhaul of the Caymanian Protection Law and procedures to clarify eligibility for Caymanian status, and to confer upon persons registered as British subjects under the British Nationality Act by grant, rights of permanent residence rather than Caymanian status. The Caymanian Protection Board was authorised to examine the backlog of applications for Caymanian status which had accumulated outside the limits of the previous annual quota. The introduction of new administrative procedures undoubtedly retarded this process. Corrective action should allow all applications before the Board to be considered during this year. Understandably a cautious policy towards the grant of gainful occupation permits was operated during the depression years to minimise unemployment of Caymanians and to ensure the placement of trained Caymanians returning from overseas. The policy of the Government is broadly that the grant of gainful occupation licences should march in step with the

/economy

economy as it expands. It is concerned that the correct balance may not have been struck and will examine during 1978 how better to achieve its aims while leaving to the Caymanian Protection Board its statutory duty to decide on individual cases.

Physical Development Plan

After many years of gestation, public unease and debates in this Chamber, the Plan was approved in revised form by Resolution of the Assembly on 26 July 1977 and amendments were made to the Planning Law and Regulations which gave effect to the Planning Statement. This, together with the completion of the Cadastral Survey provided the machinery needed for the stimulus of the construction and real estate industries. Planning permissions for the year totalled CI$19.7 million, an increase of 147% over 1976.

The United Nations Mission's Visit

This event has been given wide coverage in the Assembly, in the press and at public meetings. Now that the dust has settled it is of interest to quote from a statement by the British Representative speaking before the Committee of 24 on the Cayman Islands on 6 March 1978:-

"I should like to quote briefly from the statement of Ambassador Yanibobo when he introduced the report on his mission in the Committee on 13 September 1977. He said:- "The Caymanians confirmed their contentment with their present political and constitutional status and mentioned that they themselves would seek change when they felt it desirable to do so." I shall also quote from the statement made to the Committee by the Hon. Truman Bodden, an elected member of the Executive Council of the Cayman Islands. He closed his statement with the following request:- "That the Committee advise the General Assembly that, in accordance with the inalienable right of the Cayman Islands to self determination ....., the peoples of the Cayman Islands do not want any change and recommend that they should not be forced to accept any change in their Constitution."

Mr Chairman, as my Government has made clear to the Special Committee, we shall respond positively to any request by the people of the Cayman Islands for changes in their Constitution, whether of a

/limited

limited nature or designed to lead to full self government and independence. However, we shall not force change on a people who have made it so abundantly clear that this is not their wish. I should make it clear in saying this that the people of the Caymans are sophisticated and knowledgeable about their Constitution and political rights."

Apart from the reference to Ambassador Yumibobo and to the Hon. Truman Bodden the statement coincides with those made on earlier years prior to the Mission. Perhaps however, the Committee of 24 are more likely now to accept it at face value.

Cayman Airways

Faced with the intimation by LACSA that the lease agreement for their aircraft would be terminated; urged by the United States authorities that British Caribbean airlines improve the ownership and control of their aircraft flying into the United States; and in the belief that it should be possible to improve disappointing financial performance, the Government negotiated the purchase of the shares of Cayman Airways held by LACSA for an amount of CI$193,750, payable without interest over a six month period. After studying various possibilities the Government, as the shareholders of the Company, agreed to the Board of Cayman Airways entering into an agreement with Air Florida for the Grand Cayman - Miami and the Grand Cayman - Kingston services using a leased DC9 aircraft available for agreed hours, and with back-up, passenger handling and accounting services provided for negotiated amounts. A separate agreement was also made for the cargo service from Miami - Grand Cayman with Rich International and for Trans Island Air Company to take over the internal services. The complicated administrative procedures necessary to ensure that the new services began without interruption on 3 December 1977 were achieved only by a great deal of hard and time consuming work by the Board and staff of Cayman Airways, Members of Executive Council, Miami based staff and the United States based attorney for Cayman Airways.

As Honourable Members are aware the Legislative Assembly authorised borrowing of US$1.5 million in November last to enable the necessary shares to be purchased, to afford Cayman Airways working capital and generally to cover, on a loan basis to Cayman Airways, expenses associated with the

/changeover

changeover from the previous arrangements. It was expected at this time that the purchase of a used aircraft suitable to operate into Houston, Texas, a route permissible under the revised Bermuda Agreement between the United Kingdom and the United States, might prove to be a better long term arrangement than lease. A wholly owned Government Company called Cayman Air Holdings was registered to be the vehicle for borrowing the $1.5 million and disbursing the money as required in accordance with the Assembly Resolution. The Directors of the Company are the Honourable Member for Tourism, Aviation and Trade, the Financial Secretary and the Attorney General. A loan was negotiated with First National City Bank, Nassau, Bahamas and to date of $1,450,000 drawn down, expenditure amounts to $1,449,842.

The accounts for the first month's operation of the leased DC9 aircraft received towards the end of January, showed a substantial loss on the month's operations and it was immediately clear to the reconstituted Board that alternative arrangements would have to be made before the expiry of the lease agreement with Air Florida at the end of May to achieve viability.

To that end the Board continued to examine the possibility of purchasing a used aircraft, the availability of finance, the economics of loan repayments and operating costs, in full recognition that the formal authority of the Legislative Assembly would be required and that no firm commitments could be made without such authority. At the same time negotiations continued with Air Florida to endeavour to obtain the leased DC9 aircraft on more advantageous terms. This would have been the preferred course to give the necessary breathing space to identify and check out a suitable used aircraft. Although Air Florida made a more favourable offer to the Board it was not good enough to ensure a reasonable chance of viability after the existing agreement ends. The Board considers that the most favourable option before it is to request the Government, or Cayman Air Holdings to purchase a used aircraft on loan terms of sufficient length to make its monthly liability for repayment substantially less than the lease payments under to LACSA or Air Florida. The Executive Council has advised that subject to the approval of the Legislative Assembly this course should be followed.

The future of Cayman Airways - and the Government will do all in its power within present financial limits to secure its continuance - is over /to

to lie in the identification of a suitable and suitably priced used aircraft which will allow the Company the opportunity to make profits and to expand its operations. Continued co-operation of the staff and the travelling public is sought to achieve this end. The Government's financial position is such that, at this difficulty is seen in securing the necessary loan finance on terms which would allow a moratorium on interest payments for the first 12 - 18 months of loan repayments giving the Company the necessary breathing space to build up the Beechcraft run and to be restructured on more economical lines. With this in view the Honourable Member for Tourism, Aviation and Trade intends to bring a Motion to the Assembly at this meeting seeking agreement in principle for a loan up to a specific amount to purchase an aircraft when a suitable one has been identified, the exact amount and terms to be agreed by Finance Committee at a later date. This will yield the required authority and room to manoeuvre to make the best choice available.

The Honourable Member for Tourism, Aviation and Trade will no doubt expand on this brief summary in presenting his Motion to the House.

Little Cayman Oil Terminal

As a first step towards the construction of a shore based oil terminal Cayman Energy Ltd negotiated with the Government a permit for one year to undertake ship to ship oil transfer operations off Little Cayman, the Government to derive royalty per barrel of throughput. Operations began in August 1977 and by the year's end 63 oil tankers were involved and 17,614,000 barrels had been transferred. During the period January to March 1978 a further 20 vessels have transferred 6,174,064 barrels. The permit for ship to ship operations was renewed for a further year on 4 April 1978.

A letter of intent was signed, after many months of negotiation, with Cayman Energy Ltd giving the Company the exclusive rights under certain conditions to construct an oil transhipment terminal on Little Cayman. Following the passage of the Petroleum Handling and Storage Law on 31 March 1978, a formal Franchise under the Law has been awarded to the Company on Monday 3 April 1978. This will not be a public document.

The public, however, has the right to know the broad terms of the agreement. The Franchise will last for 20 years. The Company will be

/obliged

obliged to construct an oil transhipment terminal to plans, ecological and safety standards agreed by the Government sufficient to store 10 million barrels of oil, and to service a daily throughput of 1 million barrels. Construction is to commence by the last quarter of 1978, with completion between the end of 1979 and mid 1980. The Government will derive revenue from royalty payments based on a minimum daily throughput which will rise over the period of the Agreement at an ascending rate of royalty. Payment will begin on 1 January 1980 and the minimum annual revenue will increase from CI$1,460,000 in 1980 to CI$2,920,000 by 1985, rising by steps to CI$12 million in each of the last five years of operation. The total minimum revenue expected will be in excess of CI$175 million over the 50 year period. As an alternative to royalty payments the Government will have the right to elect instead to claim a rising percentage of profits if this is to its advantage and arrangements will be reviewed four times during the term of the franchise.

The Company is at present negotiating construction and throughput agreements with the oil companies, marshalling the necessary finance, estimated to be in excess of US$1.20 billion, and producing design and construction plans for the terminal. The Company's representatives have reported encouraging progress.

Responsibilities for various aspects of the operation have been delegated to certain members of Executive Council. The Chief Secretary, who will have a co-ordinating role, has been appointed Chairman of a Committee to assess the effects on Government staffing, buildings, policing, education and medical facilities; financial, technical and ecological monitoring during and after construction.

Financial Performance in 1977

Thanks to prudent financial control by the Financial Secretary and the Finance Committee of the Legislative Assembly and responsible management by heads of Departments and other vote controllers, supported by an up-turn in the economy, revenue collection in 1977 exceeded the revised estimates by CI$291,700 or 3.4% while expenditure fell below the revised estimates by CI$233,772 or 1.7%. The accumulated deficit of CI$958,324 shown in the 1978 Estimates as the amount likely to be carried forward into 1978 has now, on figures available, been cut to approximately CI$433,000. The

/projected

projected deficit for 1978 originated at CI$959,569 can thus be reduced to C.$427,000. It will, however, be necessary to re-vote certain expenditure such as payment for X-ray equipment, construction of the covered walk-way at the High School, which were not completed in 1977. This is a normal practice at the year's end and will not significantly affect estimated Expenditure in 1978 as the same process will undoubtedly occur in 1978.

Registration of new banks increased by 10% and of companies by 21%. Five million pieces of mail were dealt with by the Post Office, an increase of 30% over 1976. Dealings in land reached a new peak in 1977 and revenue from stamp duty amounted to CI$909,919. There was an increase in the number of tourist arrivals, 1976 figures being exceeded by 3½% for arrivals by air and 2% for arrivals by cruise ships. The Consumer Price Index rose 5.3 points.

Physical Construction

The George Town Port facility was completed in July 1977 at a cost of $4,443,636 and came under the management of the new statutory Port Authority. All indications are that the Authority will be viable and that the loan repayments will be met from port revenues without any subvention from direct Government funds. The new cruise ship landing dock was completed providing facilities for passenger tenders, small berths, taxi parking and tourist restroom facilities.

Four additional miles of asphalt road surfacing were completed on Grand Cayman and the Brac Island road on Cayman Brac was finished. The Gerard Smith airfield in Cayman Brac was re-surfaced and extended to 3,300 feet. Extensive renovations were made to the air terminal at Owen Roberts International Airport.

Civil Service

Systems, procedures and conditions of service have been revised and new Administrative and Personnel Regulations introduced which should lead to improvements in efficiency. The training needs of all Departments have been reviewed and a forward programme of long and short courses was under preparation at the year's end, covering a span of five years. The United Nations Development Programme will make a significant contribution to this programme and has allocated the sum of US$700,000 for the period 1977 - 1981.

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38 more Caymanians received training during 1977 than in 1976.

The stated policy of the Government is to give preference for appointments and promotions to Cayman Islanders or persons with Caymanian status over officers recruited from overseas wherever the requisite qualifications are held and there is an acceptable degree of experience. The Public Service Commission operates this policy. Towards the end of 1977 of 791 established posts, 193 were filled by Caymanians, 35 by United Kingdom based officers and four by United Nations secondments, and 189 by officers recruited from elsewhere in the Caribbean. 70 posts were then vacant. Of 29 Heads of Department, 14 are Caymanian and 15 expatriate, of which a further five posts are planned to be filled by qualified Caymanians by 1980. A run-down in the number of staff employed under the Overseas Service Aid Scheme agreement with the United Kingdom is also planned dictated largely by the reduction of British Aid funds, with such staff reducing from 33 in 1978 to 26 by the end of 1979, 18 by the end of 1980 and to seven key posts by the end of 1981. If suitable Caymanian applicants do not come forward and it is necessary to recruit overseas, recruitment will be on terms applicable to locally recruited staff.

A man power survey to further identify training and educational needs could not be undertaken in 1977 but assistance has been offered by the British Development Division in the Caribbean for 1978.

Tourism

Percentage increases have already been reported. There were 67,167 arrivals by air and 41,471 by cruise ships in 1977. The length of stay continued to drop but another notable trend is the rising proportion of visitors from the United States. A new sales office was opened in Houston and the Government has commenced also for representation in Toronto. Changes were made in advertising and public relations agencies, the latter maintaining offices both in Miami and Grand Cayman and producing much more radio coverage locally and in the United States. Additional hotel facilities have been opened on Cayman Brac and Little Cayman and various condominium units and hotel improvements have been completed on Grand Cayman.

Pirates Week from 29 October to 6 November was a success and will be repeated in November 1978. The Government deeply appreciates the excellent co-operation and financial support by the private sector.

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An Attitudinal Study by the Caribbean Tourism Research Centre revealed that Caymanians have a positive attitude to tourism.

A Tourism and Industries Board was established, a training officer employed and, with the positive support of the private sector, it was possible both to award scholarships abroad and to bring instructors here to assist with five response courses with a total of 269 participants.

Social Services

Hospital improvements on Grand Cayman included a new X-ray unit and accommodation to house it. The operating theatres have been completed, and the kitchen renovated. The physiotherapy unit and a new dental clinic nearly completed.

With assistance from the Pan American Health Organisation and World Health Organisation, Dr Arthur Bloom of Columbia University led a six week genetic survey to study inherited diseases. This has led to the construction of a comprehensive programme for genetic counselling, family planning advice for high risk families, for family health education and rehabilitation for those handicapped by inherited disease.

1977 was proclaimed Educational and Training Year. While there was an expansion of training, the demand of education at secondary level affects the numbers of students who can qualify for tertiary education, in turn affecting the need for gainful occupation licences for qualified professional staff, the speed of localisation both in the public and private sectors, and creating social pressures upon school leavers who have not the basic educational standards appropriate to their ambitions. Both the secondary and primary school systems are under review and the need for technical training facilities to meet the requirements of an expanding and increasingly mechanical and technical economy is being evaluated. There is now extreme pressure of numbers at the George Town Primary School and Savannah Primary School.

The National Council of Social Services achieved the establishment of a community centre at Red Pond with the help of the Canadian Executive Service Overseas and Canadian funds. It was responsible for organising the programme for the Queen's Silver Jubilee Year and established another pre-school at Bodden Town. Service Clubs continued to be active, the

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Rotary Club completing the Grandcamare Boys' Home which it has handed over to the Government. The Jaycee and Teen Clubs both achieved valuable leadership training. The Rivanic Club's active support of the Lighthouse School for the Handicapped and anti crime campaign and the Lions Club's direct concern for those with poor eyesight are evidence of a degree of community involvement which reveal a caring society.

Agriculture and Fisheries

Fishery limits were extended to 200 miles by Proclamation in December 1977. The United Nations Development Programme is advising on a fish freezing and marketing facility and upon fishery administration and legislation. For the first time exports of marine products from the Cayman Turtle Farm Ltd and the Cayman Seas Lobster Processing Plant topped CI$1 million.

Under a new agricultural policy introduced in August 1977 heavy equipment used by Government is available to farmers for land clearance at sub-economic cost, although various ancillary charges are reducing the extent to which this facility is used. The Customs Law was amended to permit duty free importation of all agricultural items. The island is now self sufficient in eggs and pork and there have been substantial plantings of bananas and plantains in North Side and West Bay. A large new agricultural project has been established by Farther Land Farms Ltd at West End using the access road constructed for the Cadastral Survey and will grow vegetables and orchard crops for which considerable agronomic experiments have already been carried out locally. The Company has imported an 80 ton bulldozer and soil steamliner to produce the best arable environment for the project. It is perhaps a sign of the times in agriculture that the Mosquito Control Unit spraying aircraft has been used for crop dusting during the year.

Mosquito Research and Control Unit

There were seven major broods of mosquitoes during the year kept under control by air sprays and fogging and highly successful application of larvicide during the peak period in May. Tests with insecticide donated by a Tennessee company led to finding a suitable replacement insecticide and for the first time yielded good results against sandflies. A new Garrett turbo-prop spray plane has been purchased for air spraying.

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Despite shortage of heavy equipment for physical control, increased output was achieved showing what might be done if further heavy equipment were made available.

Silver Jubilee

The celebrations began in February with colourful tableaux arranged by school children with youth movements in attendance. The main celebrations, including services of Thanksgiving, were held at the time of The Queen's Birthday and the local press gave good coverage of the main events in the United Kingdom and of Royal Tours during the year. Although it was a disappointment that the Cayman Islands could not be included in Her Majesty's busy programme, the Islands were represented by the Acting Governor, Mr Dennis Foster MBE JP and the Honourable Captain Charles Kirkconnell and their wives during Her Majesty's visit to the British Virgin Islands.

So much for the past year.

THE YEAR AHEAD

I propose to consider policies and plans for the coming year under the portfolio heads.

Internal and External Affairs

It is planned to effect some re-gradings of posts in the civil service and to examine the basic salary scales so that when salaries are next increased on cost of living grounds some extra weighting can be given for responsibility.

Six applications have been received for the establishment of television in the Cayman Islands. Difficulty has been experienced in locating a suitable expert to evaluate the technical feasibility of the proposals in order to make a judgement of the most advantageous and suitable application. A qualified person has now been identified and the evaluation process of the applications should take place when his services can be secured.

Further training of Caymanian will take place to increase further the Caymanian component of the Police Force, numbering 67 out of 89 on establishment at the end of the year when there were 17 vacancies. The Special Constabulary inaugurated in 1977 will be further built up.

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Although crime figures - 955 offences in 1977 - were not excessive, there was a 25% increase in burglaries in 1977 and every effort will be made to fill outstanding vacancies to improve police coverage. Vigilance against drug traffic was rewarded by the seizure of 12,000 lbs of ganja in 1977 as against 96 lbs in 1976. This aspect of police activities will continue to receive high priority.

Extension of the West Bay Police Station and construction of a new sub station at North Side will be put in hand this year.

The final selection of a site for the new prison farm will be made in the next month and funds from the United Kingdom have been allotted for construction. Police transport will be improved and new radar equipment to detect speeding motorists is being obtained.

Legal Administration.

The competence of the small staff comprising the Attorney General's Department is measured by the quantum of work achieved over the year when 32 laws were prepared for enactment and 14 items of subsidiary legislation drafted, including the completion of the Rules of Court. 16 revised laws were also compiled in furtherance of the scheme which will soon result in a single set of laws to replace the present multiplicity of sources. The Department will continue to be responsible for all major criminal prosecutions and to appear, where required, in civil cases.

Laws likely to be prepared for enactment during the year apart from those on the Order Paper for this meeting include:-

An Audit Law - to provide for an Auditor General to perform the duties now performed by the Auditor General in Jamaica;

A Fisheries Law - including protective measures for conch and lobsters;

A Water Control Law - to protect the main lenses of fresh water;

A Public Health Law;

A Mental Health Law;

An Education (Amendment) Law;

A Law to include provision for the regulation of nursery education, further education and education of the handicapped;

A Poor Relief (Amendment) Law,

A Law to establish a Registrar General's Department;

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An Employment Law;

An Insurance Law;

An Evidence Law.

Finance and Development

The report of the Customs Adviser is being analysed. To do its job properly and to improve controls the Department will require more staff. It is likely that a phased programme for increase over the next few years will be placed before the Finance Committee for examination in the 1979 Estimates.

The Registrar of Companies now deals with companies, co-operatives, trusts, trade unions, friendly societies, building societies, shipping, births, marriages and deaths. It is planned to co-ordinate these activities through one piece of legislation, and to obtain more spacious accommodation with the necessary vault facilities.

With oil revenues likely to accrue from 1980 onwards it is desirable to project forward a capital expenditure programme over the next five to ten years and to decide what balance of reserves should be built up. This study will be given priority so that proposals can be brought to the Assembly in 1979.

An officer from the British Department of Trade has now reported on the feasibility of operating a full scale registry of shipping which is likely to include a nucleus of four specialised staff. The proposals are now under discussion with the private sector and every effort will be made to bring the study to a conclusion so that the complicated legal issues can be resolved, the necessary administrative and staffing dispositions planned, and the full scale registry established. The proviso to this is that the Government must be fully satisfied that the likely revenue would justify the setting up of a relatively expensive registry and the Assembly would, of course, be consulted before any final decision were made.

The Government wishes to make clear that there are no intentions of imposing any new taxes on land or property.

Health, Education and Social Services

Health

Two new garbage trucks have arrived, one for Cayman Brac and one for Grand Cayman. A Public Health Adviser is now preparing draft Public Health

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legislation and it is clear from his initial assessment that improved health services and public health, as opposed to curative medicine, require strengthening and re-organisation. His report, when received, will be studied and recommendations brought before the Finance Committee as part of the 1970 budget examination.

The building programme for 1970 includes modification of the out-patient and casualty sections to provide better and more efficient handling of patients as well as providing two beds for observation. A pediatric ward catering for the time being for six to eight beds will be built together with an additional operating theatre and four surgical beds. A room to accommodate mentally ill patients will also be constructed. Land has been acquired east of the hospital for further extension.

Education

Additional accommodation is being provided at the George Town, Cayman Brac and Savannah primary schools. A close watch is also being kept on the need for further secondary accommodation at Cayman Brac High School.

Review of educational policy, particularly of primary and secondary educational systems and for technical education is expected to be completed by the end of the year, together with the amendment of the Education Law. Continued assistance will be given to private schools which continue to make a valuable contribution to education in the territory.

Social Services

It is planned to co-ordinate better the work of the Government social welfare service with that of the National Council of Social Services.

A request to Government to provide free of cost land for the erection of a home for the aged is being considered, as is the proposal that the Government should assume full responsibility for the Lighthouse School for the Handicapped.

Tourism, Aviation and Trade

Efforts will be made to reverse the trend whereby the numbers of visitors from Canada and Jamaica are decreasing. Sales promotions will be widened to an increased number of United States cities and states and the programme of bringing travel agents to the Islands continued. The need to have sufficient accommodation available for an increasing number of tourists must be balanced by the danger of having too thin a spread of occupancy

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during the winter months. Several new hotel projects are in the final planning stage and it is likely that there will be a 30% increase in the number of rooms available by mid 1980. 1978 is likely to show an increase in arrivals of up to 10% and with increased promotion, particularly for the summer season, there are good prospects of existing high occupancy figures being maintained despite increased capacity.

Training of Caymanians employed in the tourist industry will be continued during the year at an enhanced pace with more training classes being offered and six four year scholarships leading to a BA degree in business administration having been donated by the private sector and awarded by the Training Board.

Civil Aviation

Of four air traffic control officers three have completed training courses and the fourth will complete training in September 1978. Efforts are being made to place one senior Caymanian officer on a course in the United Kingdom designed to equip him to succeed the present Director of Civil Aviation in 1979.

The Cayman Brac runway will, when the application to the European Development Fund is approved, be lengthened to allow larger aircraft, including jet aircraft, to service Cayman Brac. Approval in principle has already been given.

Additional renovations to the Owen Cayman air terminal are planned for this year.

Trade

The policy of attracting light industry by the waiver of certain import duties will be continued and attempts made to diversify the economy. The support and encouragement given by the private sector, and particularly the Chamber of Commerce, will be sought whenever the need arises and through regular consultation.

Agriculture and Natural Resources

The recommendations of the Natural Resources Study are being examined systematically and where accepted will be separately implemented. For example, the recommendation that the Government take steps to control and undertake research into supplies of conch and lobster is likely to be the subject of fisheries legislation and the Mosquito Research and Control Unit

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will recruit graduates during the year to carry out research.

The establishment of marketing facilities for locally grown produce is being examined together with a self sufficiency programme to identify suitable and suitable selection of products and to advise in planning and management. Negotiations with the Caribbean Development Bank are in train to lend money to farmers for improvements and production. The Canadian Government has donated a small hydroponic unit to the Department of Agriculture and this will be used for experimental and demonstration purposes.

If the Assembly approves the Petroleum Bill it will be possible to grant licences for prospecting for oil, in which there was some interest in 1976 and 1977.

It is hoped to complete microfilming of all land records this year, allowing duplicates to be stored elsewhere in case of fire or damage to the originals. The Lands Department will also be able to produce small quantities of coloured maps. New updated 1/25000 maps produced by the Department of Overseas Surveys will become available during the year and 1/50000 maps of the Island are also being printed for use by visitors.

Communications, Works and Local Administration

The road programme for 1978 comprises:-

Asphalt Surfacing (a) ½ mile through East End;

(b) ½ mile through North Side;

(c) From the junction of Walkers and South Sound Roads through Church Street to the junction of Harbour Drive and Cardinall Avenue in George Town;

Surface Dressing 4 miles for roads in East End, North Side, George Town and West Bay. The impermeable section of the newly constructed extension to Elizabeth Street in West Bay will also be widened.

New building contracts covering all the portfolios will be carried out to a total of CI$800,000.

The Government is examining an application for a franchise to provide fresh water initially to the George Town, Seven Mile Beach and West Bay area but with proposals to extend eventually to the remainder of Grand Cayman.

On Cayman Brac, apart from the lengthening of the airfield to 5,000 feet, already mentioned, CI$40,000 will be spent on road improvements, mainly on

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the section from Stake Bay to Bodden Bay. The roads on Little Cayman are also to be improved and one new front end loader and two new pick-up trucks, one for Little Cayman, are on order.

The West End lighthouse is to be replaced and the new garbage truck will allow house to house collection on Cayman Brac for the first time.

As soon as the design for the community centre has been approved work will begin on construction of this facility so graciously donated by the people of the Brac.

In conclusion I welcome the presence here today, for the first time at a formal opening of the Session, of the new Chief Justice, Sir John Summerfield CBE, who ably assisted on the Magistrate's Bench by Mr Wilson Parsons, brings with him a wealth of judicial experience to the Grand Court.

I should also like to note that this will probably be the last time that the Reverend Neil Banks, Chaplain to the Assembly, will be present at the opening of a meeting. His presence on the floor of the Chamber has always been appreciated and I wish him and his family well when they return to Canada, their homeland.

It remains for me to express the hope that with Divine Guidance honourable Members will continue to exercise the wisdom inherited from their forefathers and guide the country with sensitivity, respect for public opinion, and with the love and pride of experienced sailors on a well found ship. It always lies with Honourable Members to choose the sails and to trim them to suit the wind. WWW is not fair.

MR. CHADDOCK EVANS: Your Excellency, it's an honour to introduce the following motion:-

BE IT RESOLVED THAT THE HONOURABLE LEGISLATIVE ASSEMBLY RECORDS ITS GRATEFUL THANKS TO HIS EXCELLENCY THE GOVERNOR FOR THE GRACIOUS ADDRESS DELIVERED AT THIS MEETING;

BE IT FURTHER RESOLVED THAT DEBATE ON THE ADDRESS DELIVERED BY HIS EXCELLENCY BE ADJOURNED UNTIL FRIDAY, 7TH APRIL, 1978.

SECONDED BY: CAPT. KEITH D. TIBBETTS.

QUESTION PUT: AGREED.
HOUSE SUSPENDED. HOUSE RESUMED.

CLERK: PRESENTATION OF PAPERS.

AUDITED ACCOUNTS OF THE PUBLIC LIBRARY

HON. D.H. FOSTER: Mr. President, in the absence of the Financial Secretary I think Standing Order 18 permits me to deal with the two matters in his name. I therefore beg to lay on the table of this House the audited Accounts of the Public Library as at 31st December, 1977.

MR. PRESIDENT: So ordered.

ANNUAL AUDITED ACCOUNTS - GOVERNMENT SAVINGS BANK 1976

HON. D.H. FOSTER: Mr. President, I also beg to lay on the table the Annual Audited Accounts of the Government of the Cayman Islands for the financial year ending 31st December, 1976 and the Annual Audited Accounts of the Government Savings Bank for the financial year ending 31st December, 1976 together with the Auditor General's Report and comments to the Secretary of State on the Audited Accounts for 1976.

MR. PRESIDENT: So ordered.

HON. D.H. FOSTER: Mr. President, I further move, Sir that the Audited Accounts be referred to the Standing Public Accounts Committee.

MR. PRESIDENT: It has been moved that these Audited Accounts be referred to the Public Accounts Committee.

QUESTION PUT: AGREED. ACCOUNTS REFERRED TO THE STANDING PUBLIC ACCOUNTS COMMITTEE.

CLERK: STATEMENT BY HON. G. HAIG BODDEN.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

HON. G. HAIG BODDEN: Mr. President, some time ago the Commonwealth Parliamentary Association requested that all Parliaments in the Commonwealth make a statement about the aims and organisation of the Commonwealth Parliamentary Association so that the public may become more aware of its existence. It was also recommended that this statement be made as near to Commonwealth Day as possible. Commonwealth Day is in May of this year and this is near to that time. I will read the statement.

STATEMENT BY THE HONOURABLE G. HAIG BODDEN, MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES AND CHAIRMAN OF THE EXECUTIVE COMMITTEE OF THE CAYMAN ISLANDS BRANCH OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

AIMS

The CPA is an association of Commonwealth Parliamentarians who, irrespective of race, religion, or culture, are united by community of interest, respect for the rule of law and the rights and freedoms of the individual citizen, and by pursuit of the positive ideals of parliamentary democracy.

In providing the sole means of regular consultation between Commonwealth Parliamentarians, the Association aims to promote understanding and co-operation among them and also to promote the study of and respect for parliamentary institutions throughout the Commonwealth.

ORGANIZATION AND ACTIVITIES

Branch Membership

The membership of the Association, now 67 years old, consists of Branches formed by members of legislatures in the Commonwealth. The number of Branches has grown from one in 1911 to the present 101 and the individual membership of Branches stands at about eight thousand.

Branches are autonomous but they are grouped geographically into seven Regions for representation on the Executive Committee and for other purposes.

Officers of the Association

The President of the Association is the RT. HON. RIPTON MACPHERSON, MP, Speaker of the House of Representatives, Auraland.

The Vice President is MR. J.R. HARRISON, ED,MP, Acting Speaker, House of Representatives, New Zealand.

The Chairman of the Executive Committee is the HONORABLE DATUK MUSA HITAM, SPMJ, MP, Minister of Education, Malaysia.

The Hon. Treasurer is MR. USTI MARTIN, MP, United Kingdom.

The President and Vice President serve for one year, the Chairman and Hon. Treasurer for three years. (The Constitution requires the Honorary Treasurer to be a member of the Executive Committee of the Branch in the country where the Association has its headquarters).

Our Branch

The Queen Islands Branch was formed in 1964.

All Members of our present Parliament belong to it as well as past Members. His Excellency the Governor(the President of the Legislature) is the President, and the Clerk is the Honorary Secretary of the Branch.

I like to think that our Branch plays its part in the Association's affairs.

In 1967 we hosted the Fifth Conference of Branches in the Caribbean Region of which we are a part.

We have played host to visiting parliamentary delegations from the United Kingdom, Northern Ireland, etc.

The Association's Executive Committee were our guests in 1971 and in 1972 we hosted the Conference of Presiding Officers and Clerks.

We have participated regularly in Commonwealth Parliamentary Conferences, Regional Conferences and Seminars overseas (and in the biennial Conference of Commonwealth Caribbean Presiding Officers and Clerks).

We have had members attending the Parliamentary Seminars at Westminister.

Despite all this, relatively few of our members have so far been involved in CPA activities. Our Branch organization is less than perfect. Our Executive Committee meets less frequently than it should. Our members making visits overseas under CPA auspices are required to report back to the Branch.

Most of us read the Association's quarterly journal The Parliamentarian which, as members, we are entitled to receive free. There is also available the Parliamentary Information and Reference Centre at Westminister where the offices of the Headquarters Secretariat, headed by the Secretary-General, are. That Secretariat, separate in every way from the United Kingdom Branch, seeks to serve our and all other Branches impartially. Various reports, documents etc. are kept in the Parliamentary Library maintained by the Secretary and her staff and all Members are free to make use of the facilities therein.

The value of the Association is fully recognised by Commonwealth Governments. On no less than three occasions in the past 14 years Heads of Government, in the communiques issued following their meetings, have paid tribute to the Association's work. But a Conference at Dalhousie University in Nova Scotia some 14 months ago on "The Commonwealth and non-governmental organizations", seeking to increase public understanding of the Commonwealth, recommended a number of steps for a more vigorous information programme, including two directly relevant to parliamentarians:

"1) Government Leaders, Members of Parliament and other prominent Commonwealth identities - in their public speeches - to refer more frequently to the pertinence and value of today's Commonwealth;

2) On the Parliamentary level, members of the Commonwealth Parliamentary Association to be more active in publicising the valuable work of the CPA and to seek ways and means of putting on record the results achieved through CPA Programmes".

During the Commonwealth Conference in Ottawa last September the Association's Executive Committee warmly endorsed a proposal that a fresh commitment in support of the Association should be sought on the floor of each House of Parliament as near as possible on the same day right across the Commonwealth.

MONDAY, 12 MARCH, COMMONWEALTH DAY has since been suggested as a target date, but as our Legislature was not sitting on that date, I now make this statement at this sitting.

In step with this proposal I am pleased to make this new commitment to the CPA on behalf of the Government of the Cayman Islands and to pledge our continuing support for it.

Mr. President, at the beginning I said Commonwealth Day in May, I was thinking about the old Commonwealth and just for the records I'd like to correct that to March.

MR. PRESIDENT: We are pressed now with Government Business. I understand that the Honourable Financial Secretary is unavoidably absent from the Chamber this morning and we shall not be able to proceed in the first two Bills. THE HOTELS AID (AMENDMENT) LAW, 1978

CLERK: THE HOTELS AID (AMENDMENT) LAW, 1978. FIRST READING

MR. PRESIDENT: A Bill entitled The Hotels Aid (Amendment) Law is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE HOTELS AID (AMENDMENT) LAW, 1978.

HON. JAMES M. HODDER: Mr. President, I move the second reading of a Bill entitled The Hotels Aid (Amendment) Bill, 1978.

Mr. President, the reason for moving this amendment is that the Board which has been set up under the Law by Government to deal with the granting of waivers under this Law has found it very difficult to control some of the things that have gone on in respect to importation of goods. The Customs Department has also found it very difficult and because of this we've had a recommendation that it should be changed and tightened up a bit because it's impossible to keep control of, let's say spoons and forks and stuff like this that would be coming in duty free and how you would handle it in regards to customs duty specifically in the marking of it and so forth. So these amendments are coming forward and I'm asking the support of the House for them, Sir.

MR. PRESIDENT: The question is that the Bill entitled The Hotels Bill (Amendment) Law be read the second time. The motion is open for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE VETERINARY LAW, 1978 - FIRST READING

CLERK: THE VETERINARY LAW, 1978

MR. PRESIDENT: A Bill entitled The Veterinary Law, 1978 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE VETERINARY LAW, 1978.

HON. G. HALL SODDEN: Mr. President, I move the second reading of a Bill entitled The Veterinary Law, 1978.

The reason for this Bill is to control those people engaged in the practice of medicine as related to animals. We have on the books the National Practitioners' Law which controls the practice of medicine relating to human beings. In recent times there has been a great interest in the health of animals and every day we're having more and more people engaged in this work. Government has its own veterinary surgeon and we also have a couple of people who are trained as animal health assistants. So the time has arise when there should be legislation to control these activities.

The Bill simply establishes a board which will see to the licensing and performance of people engaged in these activities. I would recommend the Bill to the House and ask for its support.

MR. PRESIDENT: The question is that the Bill entitled The Veterinary Law, 1978 be read the second time. The motion is opened for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CONTINENTAL SHELF LAW, 1978 - FIRST READING

CLERK: THE CONTINENTAL SHELF LAW.

MR. PRESIDENT: A Bill The Continental Shelf Law is deemed to have been read the first time and is set down for the second reading.

SECOND READING

CLERK: THE CONTINENTAL SHELF LAW.

HON. G. HALL SODDEN: Mr. President, I beg to move the second reading of a Bill entitled The Continental Shelf Law.

The Continental Shelf is that area around an island or other land mass which is covered by shallow water. This Bill defines our Continental Shelf as an area where the water is less than two hundred metres. So The Continental Shelf will be that area which is directly contiguous to the edge of the island. At the present time the Law of the Sea conference is continuing in Geneva, it started on the 28th of March and is expected to run until the 19th of May this year and one of the subjects to be discussed at this conference is a convention to control and to accurately define the Continental Shelf. So it is quite possible that if this conference is able to come up with a more precise definition of the Continental Shelf we may find ourselves having to amend this Law. The reason for putting it forward is because the United Kingdom Government feels that we should take steps at this time to protect The Continental Shelf. It is very unfortunate that this has been misrepresented to the public in a letter which appeared in the Caymans written by one James Lawrence.

HON. G. HAIG BODDEN CONTINUING: In a meeting in Bodden Town the public was told that at this sitting of the House we would be dealing with a Continental Shelf Law and this mischievous character immediately wrote a letter saying that this Continental Shelf Law would give Cayman Energy all the mineral rights around Little Cayman, and this is very destructive, it is confusing and it shows you the extent to which we have a need for a Mental Health Law which will come before the House pretty soon.

The reason why the Continental Shelf is so important is because in many areas valuable minerals have been found under the seabed and not only minerals but oil. It is only coincidental that the two laws, the Continental Shelf Law and the Law which gave the franchise to Cayman Energy should come before this Legislature within the same period, but there is no connection and I want this made absolutely clear that there is no connection whatsoever between The Continental Shelf Law and the Law which was passed last week to give Cayman Energy a franchise to store and handle petroleum products.

This is a very necessary Law. The term "Continental Shelf" is perhaps new to some people and it is necessary that the public be given the correct information on what is really happening, and it amazes me how the Press who should be for the information of the public, will stand by idly and let mischievous people misconstrue every act of Government. In the memorandum to this Bill the second paragraph reads "In order that the Government of the Cayman Islands may be able to enter into contracts of the kind outlined above it is sought to enact this Law which is based on well known precedents in general use throughout the world." And the contracts referred to are contracts for the mining of minerals or anything else that may be found in the seabed under The Continental Shelf.

Although technical in nature the Law is simple in performance in that it would protect the rights of the people of the Cayman Islands for generations to come. Their rights to claim, to use and to have for themselves any oil or minerals which may be found under The Continental Shelf. And although I don't want to anticipate what's on the Order paper, a third Bill will be coming to this House to deal with the exploration for petroleum products.

A question has been raised about the fishing banks which are found around these islands and why they have not been included in the Continental Shelf, the answer is simple; The Continental Shelf is that area which is contiguous or adjacent to the mainland and the Continental Shelf does not include a bank that is removed by deep water from the island. Of course when the Law of the sea conference has been completed and they can make up their minds as is hoped this time, it may be possible in some other Law or could even be an amendment to bring in the banks as being under some control. So the banks have not been forgotten, but the banks are not a part of the Continental Shelf.

I would ask the Members for their support in the passage of this Bill and I would like again to assert that this Bill does not give the Cayman Energy any right to do any mining on Little Cayman.

MR. PRESIDENT: The question is that the Bill entitled The Continental Shelf Law be read the second time. The motion is opened for debate.

QUESTION PROPOSED: HONOURABLE MEMBERS.

MR. CRADDOCK EWING: Mr. President, another protection Bill to be brought to the House is not something new and it shouldn't be alarming because to the best of my knowledge as far as I can remember over the number of years from time to time we make this effort to protect the country, its surroundings and its people. So this should not be an I said an alarming Bill. While it seems quite easy or rather easy for some people to put the cart before the horse and get behind and push the horse along with the cart to misconstrude and mislead what would be the good intents of a Bill coming to become a law if it's passed.

As far as I can remember here we got a three miles limit or our surrounding water that we protect. We got a Law protecting wildlife and many. So with our growth of development and the interest of investors, people looking new areas to invest undoubtedly it's only sensible in any good Government to make laws and regulations to cover the good of the country. Until recently how much was known about the Black Coral that has been harvested from our seabed here by the thousands of pounds and much of it taken away without any compensation in the form of revenue or taxes of any sort to Government. Well this would be still another revenue that could be exploited and we get nothing from it if we don't have the Law to cover.

With the oil development in the stages that it has reached as it has well been pointed out this is not exclusively any part of that but it is time that we should look into the surrounding matters and protect the sea shelf around that there could be no attempt from the outside to encroach on searching or gathering minerals from the seabed surrounding. So I give my whole - hearted support to this, Mr. President, and as we go into the committee stage that it should be necessary for minor amendments, I can go along, but as it now I support this Bill and give it my full support. I thank you.

CAPT. KEITH P. TIBBETTS: Mr. President, I too support this Bill and I think and I feel like protection is one of our issues of today that we will have to be very careful with and we must know our laws and protect our environment and all that are Caymanian. But I do see one anomaly here and it the statement made by the Senior Member of Executive Council is correct I'm wondering how it will work. We have a bank west of Georgetown here about ten miles away with water that I presume and I believe is less than two hundred metres. If his statement is absolutely correct he says that this only protects beyond to where the water goes to a depth of two hundred metres beyond the three mile territorial limit.

Some off-shore company could come and drill or mine for oil or other minerals of the Cayman bank here within sight of this Island and still we wouldn't have any control over it. Again the same thing applies to the bigger banks which will come within our fishing jurisdiction - and off Little Cayman there are forty-eight miles away. I believe that's one of the points we really have to see that is corrected for this law to be really and truly a law of protection for the Cayman Islands. I thank you.

HON. THOMAS M. DOPPER: Mr. President, the magnitude of income from oil was very clearly brought out by you this morning when you stated that over the thirty years a minimum income of perhaps a hundred and seventy-five million dollars would accrue to this country. I think that it is very important that as far as possible we extend our territorial rights over the seas and over the seabed. I too would like to see an extension beyond what has perhaps been for a long time a European concept of what is a Continental Shelf. However with the sea conference now going on I think we can hope that if the trend continues as has continued in relation to the economic fishery right which was recently worked out of the two hundred mile limit that in due course we should have a reasonable extension of the right to the minerals under the seabed.

HON. THOMAN H. BODDEN CONTINUING: I would hope someday as well to see the territorial limit moved out to the twelve mile zone and perhaps both of these will come hand in hand in the not too distant future. However, it is subject to international conventions and these of necessity have a tendency of moving at their own speed and moving at a reasonably slow speed. I support this Bill, Mr. President.

MISS ANNIE R. DOBSON: Mr. President, I too support this Bill. I think it's long time overdue because for years we have been talking in this Assembly that all of the valuable Black Coral and all the others which have been produced in these waters they have been destroyed and no protection seems to have been given when these very valuable things/were dredged or broken off and taken off the Island without any regard whatsoever, and I feel that this is a Law which should be put into force and not just written on paper like most of our Laws are, but it should be worked on because we have laws which protect various things but unfortunately many of them are not observed. We have the law that should protect the conch, the lobster and closed seasons they seem that they are never observed. I hope that this particular Law which I would say a Law much too late, that we will work on it and see that it's put in execution. Thank you.

MR. PRESIDENT: Are there any other speakers on this motion? Does the Honourable mover wish to reply?

HON. G. MAIR MCKEON: Mr. President, the points raised by the other speakers have been well taken.

The outcome of the Law of the Sea Conference is going to determine to a large extent the whole subject of the Continental Shelf. What happens in reality is that in one part of the Island you may have a very wide shelf and the other part it could be narrow, this means that your shelf may extend outward from the land for a long distance in some areas and in the rest of it it could be very narrow; this is well known because as you leave the land sometimes you get into very deep water close to land. So the Continental Shelf is really not fixed by no other rule than the depth of the water above it.

With the matter of the protection of coral I believe this would have to come in a separate law and there have been recommendations with regard to the proper harvesting of Black Coral and this would probably need separate legislation.

The matter of the banks is that the qualification for the Continental Shelf is not only the depth of the water but it also has a second qualification which means that the bank would have to adjoin the land. As I mentioned earlier we have looked into the question of putting the banks into this Law but it is the feeling of the Conference although no clear decision has been reached - I think this Conference has gone on for several years now and no clear agreement has been reached. Certainly if the International Convention is broad enough to bring in the banks we would be willing and ready to adopt that part of it which would give us control of the banks, but whether it will be by an amendment to this Law or whether there would be a separate banking law I cannot say at this time. However, I would like to thank the Members for their support and we will certainly bear that in mind. The Members had previously discussed the matter of including the banks in this law and the advice of the Attorney General was that it should not be done because a bank is not adjacent to the land mass and therefore does not strictly fall within the ambits of this particular bit of legislation. Mr. President, I would ask the Members to bear with us and as soon as we can put a ruling on how we can best deal with the control of the banks we will put it forward. I can also/that the fishery limits have been extended and the Pickle Banks mentioned or in mind by the Members would definitely fall for fishing purposes under the control of the Proclamation which was issued some time ago bringing our fishing limits up to the maximum of two hundred miles.

QUESTION PUT: MOTION AGREED. BILL GIVEN A SECOND READING.

THE PETROLEUM LAW, 1978 - FIRST READING

CLERK: THE PETROLEUM LAW, 1978.

MR. PRESIDENT: A Bill /entitled/ The Petroleum Law, 1978 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE PETROLEUM LAW, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to move the second reading of the Bill entitled The Petroleum Law, 1978. As indicated earlier this Law is the third in a nucleus of Laws that have been dealt with since last Friday. The first one was the Petroleum Storage And Handling Law to give a franchise to Cayman Energy or any other company to store and handle petroleum. The second law was The Continental Shelf Law and the Bill now presented is The Petroleum Law, 1978. This present Bill is to provide for the granting of permission to explore and hopefully to find oil around the Cayman Islands. It has been well established by geologists the Cayman Islands lie within one of the major /that geothermal/ belts that there is not only a possibility but there is a very high probability that we may be sitting upon many gallons of oil. This is not a new Law. For many years we had on the books Law that was known as The Petroleum Production Law, Chapter 128, but that Law passed many years ago had become inadequate with the effluxion of time it had become antiquated and is now to be replaced by the Bill which is before the House. So this law unlike The Continental Shelf Law is not a new law it is only a replacement for The Petroleum Production Law and this law will give the Government the power to enter into contracts with prospectors who may want/search these islands for oil, and if oil is discovered this Bill will also empower the Government to enter into an oil production agreement whereby oil can be extracted.

There has been over the last two years a keen interest in the Cayman Islands with regards to the search for oil; this has been brought about by the oil crisis, it has been brought about by the intensive search for oil and it has been brought about by the findings of geologists and scientists of the presence of a geothermal/ /belt/ over which we sit. Of course oil may never be discovered, nobody can say for sure what it will be, we may not find the people with sufficient funds to search it, it may not be economical for them to do it, but nevertheless we have to be prepared with the proper legal machinery to deal with any contingency that may arise.

In conclusion, I would say that these three laws appear to be like scrambled eggs and when that is done some people are unable to tell the yolk from the white.

MR. PRESIDENT: The question is that the Bill entitled The Petroleum Law, 1978 be read the second time. The motion is open for debate.

MR. CRADDOCK EBANKS: Mr. President, I can give my support to this Bill. We are again only taking the right steps to protect the rights of the country and at this stage it's very little that I could attempt to add to what has already been pointed out by the mover. It may be possible or it may be a reality that not in the too distant future that an attempt might be made to do some boring. Some years ago we had a team that was in the island here doing some minor drilling, trying to come to a conclusion whether it was oil or if it was a possibility of oil, well whatever happened, I don't know, but nevertheless it was attempted and it's not too late for that occurrence again. And I give my support to this and deal with it as we go into committee stages to iron out what might be lost in that we would be ready, on the alert if an applicant came and said that they would want to carry out an investigation

MR. CRADDOCK EBANKS CONTINUING: for oil testing or any similar thing. So I go along with this proposed Bill and to give it my support to an extent.

MISS ANNIE H. BODDEN. Mr. President, did he not any more dream now about oil being in our island. I remember fifty years ago there was a millionaire came to the island, I think him name was Thurston, some name like that and he had the very contract with this Government to investigate the possibilities of oil being in the island. I have today in my office a copy of that agreement and he was very sure that there was oil to be found. He went back to England to get the backing but evidently he didn't raise the money because that project died out. Well later on there was Kimuel Watson from Pittsburgh who came here on a similar mission and he was associated with the late Mr. Duncan Watson, and it was thought that without a doubt there was oil to be found on Grand Cayman. Now it could be possible, Sir, that in the case now that oil is in Little Cayman to be sound there that providence or something might make it certain that we find oil on Grand Cayman. I personally hope they do not because this island being so small and it could be that if oil wells were discovered that there could be trouble. In as much as we could have fires and where would we run, that's what I'd like to know. Although we need money and need it badly I wouldn't mind hearing that there was oil to be found in the salt waem but I sure wouldn't like it on land however I feel that it would endanger the lives of a lot of people and all that we have done over these many years it could be destruction by fire. Nevertheless I support this Bill and I trust that it will have a good outcome.

I feel Sir, that we are in a good range - I've always heard it from the time I was a child, that we are in an area where the vein of oil runs from Tampa sometimes around to Venezuela. Now I am not a navigator so I wouldn't know exactly which direction it goes, but that has been the talk from the time I can remember and I'm now almost seventy years of age, and I can remember things from the time I was four years old and from, I would say, when I was six or seven it was discussed that there was a possibility that we had oil might here in Grand Cayman.

The law which we are now replacing was enacted many years ago and now that it is found that we need a more modern law to who cure of the situation I agree to it. Of course when it goes to the committee stage we might have to make some amendments but until then I give it my support. Thank you.

MR. PRESIDENT: Are there any other speakers? I shall ask the mover if he wishes to reply?

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

SUSPENSION

MR. PRESIDENT: This I think is a suitable time to suspend. If we return after lunch today it may be possible to proceed with the other two Bills on the Order Paper and if the Member do not back to progress then we could continue with the committee stage of the four Bills which we have dealt with this morning. So I'll suspend proceedings until two-thirty this afternoon.

HOUSE RESUMED

MR. PRESIDENT: Please be seated. Proceedings are resumed.

THE CUSTOMS (AMENDMENT) LAW, 1978 - FIRST READING

CLERK: THE CUSTOMS (AMENDMENT) LAW, 1978.

MR. PRESIDENT: A Bill entitled The Customs (Amendment) Law, 1978 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE CUSTOMS (AMENDMENT) LAW, 1978.

HON. V.G. ROBINSON: Mr. President, I beg to move, Sir, the second reading of a Bill entitled The Customs (Amendment) Law, 1978.

Mr. President, the object and reason for this Bill is that it is desirable to make some discretionary concessions to travellers into the islands in line with those allowed in other countries. In the budget meeting held in November, 1977 Members requested that an amendment to the Law be considered so as to allow a baggage allowance to residents returning to the Island from visits abroad; this was further considered in the Finance Committee and agreement was reached as to the level of allowance which would be considered. The suggestion is now put in the form of an amendment law and beside the baggage allowance which is being considered the law also confirms certain other allowances such as for instance: potable spirits up to forty ounces to be allowed to any person over the age of eighteen years of age. Up to the present time this was being granted under the discretion of the Collector of Customs, but it is desirable that many of these discretions be removed from the Collection of Customs and be put in the form of a law. It is therefore proposed to also include in this amendment law the provision to grant to passengers spirits up to forty ounces and secondly cigarettes up to two hundred or the equivalent in cigars or tobacco.

Mr. President, in the baggage concession there is also a discretion to the Collector of Customs in dealing with this. You will see that the proposal is that the allowance be on personal and household goods. There is no definition under the Customs Law to determine what items would fall under these categories and therefore it is necessary for the Collector of Customs to have certain discretion in this respect. I don't think Members of the Legislative Assembly would expect, neither would the Collector of Customs that the passenger returning with motor car parts, refrigerator parts or anything of the sort would be granted this baggage allowance concession. It is purely as it says, personal and household goods and therefore the discretion is required there so that the Collector of Customs can differentiate between these and motor car parts or any other hardware and so on. That is the reason for that discretion to the Collector of Customs, otherwise, Mr. President, it's a very short piece of legislation and I hope that Members will find it in order and support the proposal being put forward.

MR. PRESIDENT: The question is that a Bill intituled The Customs (Amendment) Law, 1978 be read the second time. The motion is open for debate.

QUESTION PROPOSED. DEBATE ENSUED.

MR. CAROLINCK KENNEY: Mr. President, I rise to make a few remarks on this proposed amendment to the Customs Law. I agree with the law and proposed amendment in principal and to me this has been long overlooked as being done for the benefit of our people travelling back and forth. It should have been considered many years ago especially when we started to establish duty free shops. I quite understand that the national gets the benefit of an item or at least I hope so that they might buy from the duty-free shops, but that in my opinion is not so very much because it's primarily necessary for visitors, the tourists and most of their stock is very expensive stuff. So in the light of that the local people don't achieve very much from that source of buying through duty-free shops. But as I said I felt that this idea should have been looked in long before now and we have gone a long way to help encourage a visitor, the tourist to this country and I agree with that and I supported that and I will intend to support reasonable measures for the benefit of visitors to the Island, but on the other hand we just cannot think of so many avenues as being duty-free or to the visitor and the local people continue to bear the burden of purchasing under the law.

MR. CHADDOCK EGGERS CONTINUING: It has been over eighteen years we may say with foreigners travelling in their different countries reading the papers and listening to the news over the many many years you can always hear about them being prohibited to take back two hundred, three hundred, four hundred different countries, different rules and regulations of duty-free merchandise to their own hometown.

Mr. President, while I say I agree with this coming in principal the increase and everything, all this doesn't mean anything to me, but I am going to propose an amendment to the household and personal effects from fifty dollars to a hundred dollars, and I don't think that we are robbing treasury or the revenue of this country by a visitor going off and coming back and if they got a hundred dollars worth of personal effects, home necessities that the duty would amount to about five dollars I don't see that this treasury can suffer from that. We got our hardworking young people who will save their money to make a week-end visit home come back with fifty dollars worth on a hundred dollars and then charging duty on fifty dollars about two-fifty, it look like we're really on the contempt side, that we hurt financially our people of a few dollars, and I'm asking Members to give this their support of the proposed amendment that I'm making, that the figures of fifty dollars be changed to a hundred dollars and not to come up to agree to the fifty dollars. So at this stage, Mr. President, as I said I agree, I support the motion being brought to the House, but I would ask Members to look into it and don't feel that fifty dollars duty-free means very much, a hundred dollars is little enough and I don't think that's human the travelling people of our country that much facility then, then we shouldn't bother to think about giving them the fifty dollars either. I thank you, Mr. President.

CAPT. KEITH F. TIBBETTS: Mr. President, I too support this Bill and I think this is a very worthy one.

I believe I'm safe in saying we as Caymanians travel as much as the average people in out in the world and I fully concur with what Mr. Banks has said that you read and you hear all over that the natives of this country are getting so much free goods he can bring in each time he goes back in and there's no law in the Cayman Islands that for to allow us to do this. I fully agree that fifty dollars/is unreasonable. If a Caymanian lady went up to the States and bought a nice suit of clothes, it's going to cost her a lot more than fifty dollars. If a man went up and bought a nice suit of clothes and a pair of shoes, it can be several times fifty dollars. But I will support the Bill with the amendments that come to the committee stage, and I'm quite sure that it should meet with all the approval of this Legislative Assembly. Thank you.

HON. JAMES M. BODDEN: Mr. President, the amendment to this Law goes a long way in taking care of some of the iniquities that/ happened in the past and one thing I would like to point out to Members at this point is that although it is limited to fifty dollars that this fifty dollars is applicable for any amount of trips that a person may take, and you have a lot of people that go off from the Island maybe four or five times a year, and I think we would have to take that into consideration when we go to increase it because we could be losing really a lot of revenue if we increased it to hundred dollars a trip and leave it the way it is now for every time that they go out of the country. Other countries, we've been here and they have a higher amount on it but they do have it limited to the amount of times that a person can use it and it's usually only once a year. So if we were to put it to a hundred and limit to once a year, we would have quite a bit of trouble certainly in enforcing it and we did consider this when we were thinking about this amendment, Sir. So I'd like Members to bear that in mind when they're considering a further amendment to it.

HON. PRESIDENT: Are there any further speakers? Does the Honourable mover wish to reply?

HON. V.G. JOHNSON: Mr. President, I'd just like to reply and say that the matter was aired in Finance Committee, and I thought it was agreed by all and surely that / limit of the consideration would be fifty dollars. What the Member from North Side is proposing at this time is really not what was considered in the Finance Committee, although perhaps Finance Committee might not have been the place to make any decision of that sort. Nevertheless all Members were there, it had a free debate and a decision was arrived up and the decision was that it would recommend that the allowance would be limited to fifty dollars per person per trip regardless of how many visits the person made abroad. However, it's entirely up to the Legislative Assembly if they wish to amend it further for the consideration of $100.00 instead of fifty, but as I said before it was my understanding that the allowance would be limited to fifty dollars and there are some people who make quite a number of trips only during the course of the year and it could be beneficial to such individuals. Of course I know there are those who are not so fortunate to make that number of trips and so this hundred dollars should perhaps be more beneficial to them. However, Mr. President, I'll leave it to Members of the Assembly.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE CURRENCY (AMENDMENT) LAW, 1978

FIRST READING

CLERK: THE CURRENCY (AMENDMENT) LAW, 1978.

MR. PRESIDENT: A Bill / entitled The Currency (Amendment) Law, 1978 be deemed to have been read the first time and to set down for second reading.

SECOND READING

CLERK: THE CURRENCY (AMENDMENT) LAW, 1978.

HON. V.G. JOHNSON: Mr. President, I beg to move the second reading of a Bill entitled The Currency (Amendment) Law, 1978.

Mr. President, the Currency Board of the Cayman Islands has for some time been planning to expand its operation. At the present time it is involved in merely the issuing and redemption of currency, but the expansion of the operation would include the opening of accounts for local banks providing facilities for establishment of banks clearing arrangements, that is clearing their daily surpluses and deficits in the form of cheques received and paid. And it is sort to enable the Board to grant also limited short term loans to its customers, that is the banks who have joined the clearing arrangement, to grant this short term loan facility against the provision by them of appropriate securities or collateral and to amend the Currency Law accordingly.

Mr. President, over the years there has been some difficulty where the smaller banks are concerned in operating their clearing arrangements. There is a clearing facility established by the big International Banks, but this is a closed-house arrangement. The membership to that clearing arrangement consists of the big banks, four or five and so the smaller banks have to depend on one of these big clearing banks doing their business and for this a fairly big charge is made for each cheque that is cleared through this arrangement. The bigger banks will not allow the smaller banks to join the clearing arrangement, will not allow them into the fraternity and they claim it is because of creditability.

HON. V.C. JOHNSON CONTINUING: The big banks haven't got the international accountability as the big banks and therefore they have to depend on the good offices of one of the members of the clearing banks to conduct their business on their behalf. The Board looked at this for quite a few years now and at first the thought was that we should not interfere, but it has come to the stage where the smaller banks have made very strong pleas to the Currency Board for the Board to look into the matter and consider establishing a currency board clearing system for all the banks in the Island, small,medium, big, whatever they may be so that all can share the same facility, paying the same costs and so on.

The Board do not were receptive of the idea. We have spent some time to look into this, we have had the benefit of expert advice from the Bank of England on the matter and the Board is now quite prepared to establish this clearing system, and that is the purpose for this amendment to the Currency Law. The Law will authorise the Currency Board to make short term loans and you will see that these loans will not exceed a period of one month. The reason for this is that very often when transactions are put through the clearing system it takes perhaps twenty four hours and perhaps forty-eight hours before the clearing can be completed because sometimes the clearing do not done locally, sometimes a cheque or a draft or an instrument of that type is drawn on a bank in a foreign country, perhaps a bank in New York and the clearing arrangement will have to be done through that bank before credit can be given to the local bank, and therefore the Currency Board will have to accept the position of the local bank during the period that the clearing is done and for that reason the Board technically has made an advance to the bank for the position which they have assumed over that period. We are saying here that that period should not extend beyond one month, but we don't see that any clearing will take a month. We have put a month there to be on the safe side, it's usually twenty-four, forty-eight hours, it's just a matter of hours. If the Board is not able to do this the Board cannot effectively perform as a clearing system. And that is actually the gist of the amendment which is being put forward here.

I am sure that Members will support the Bill. I can assure that the smaller banking institutions in the Island will be quite happy of this arrangement and I see no reason why it should not work successfully and so I recommend the amendment to the Currency Law as to be put forward and recommend to the amendment Bill.

MR. PRESIDENT: The question is that a Bill entitled The Currency (Amendment) Law, 1978 be read the second time. The motion is opened for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

MR. PRESIDENT: That concludes the first and second reading stages of all six Bills on the Order Paper. I suggest we should now move into committee to consider the Bills in the order in which they're set out on the order of the day. So this Assembly will now move into committee.

COMMITTEE THEREON

MR. PRESIDENT: The Assembly is in committee.

THE CUSTOMS (AMENDMENT) LAW, 1978

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED.

CLERK: CLAUSE 2. THE CUSTOMS LAW (REVISED). SECOND SCHEDULE AMENDED.

QUESTION PROPOSED:

MR. CRADDOCK EBANKS: Mr. Chairman, in a meeting recently, whether it was in December or January, when this question was raised I made the motion that in introducing the motion under the suspension of the Standing Orders to introduce this motion for an amount of two hundred dollars to be exempted. The third Official Member, before it reached the floor suggested that if I could agree to withdraw this at that stage because if it then went back to the House and passed as whatever happened, in other words if it passed at a minimum/ it still would have to again go through to be brought back to the House for this to be added. So he thought that it would be best if I would withdraw this at that stage and then he would bring back to the House the proposed amendment : to the Bill along with whatever amount he wanted to put that is his duty or his business. But the motion that was being prepared to be presented to the House at that stage in time was two hundred dollars. I have made a compromise that the two hundred to one hundred and I'm going to stick to that one hundred, that it should be the amount as I originally offered them exempted from duties to the people travelling. I'm not suggesting that anyone travelling a half a dozen times a year which it wouldn't be people on vacation doing that, that's more or less business people. And whether it needs to be defined in the law to one trip a year per person, it's all left to be done as far as I'm concerned. I can agree with the Third Official Member saying that not bringing in a part of a refrigerator or some new pieces that are open and all like that that should be included as being exempted, I agree it shouldn't be. Personal effects, clothes, shoes and hats and what not and whatever else might apply to household goods is what I feel and I don't think that we are being unfair to the Treasury to ask an exemption on a hundred dollars at least.

MISS ANNIE M. HUDSON: Mr. Chairman, I don't know who wrote two hundred dollars here to read but the Bill that I have has inserted two hundred dollars on it. Unfortunately this Hon. Bill will not be any benefit to Annie Ruddah Bodden because I do not travel but I must agree that if you were to grant any concession that less than a hundred dollars wouldn't be any good, because what is fifty dollars if twenty percent of fifty dollars would be such a small amount it would neither be any good to the person who travels or to the Treasury gaining that amount. I would say if you're going to make anything at all two hundred dollars is a reasonable amount, but unfortunately it won't be any good to me but I feel that two hundred dollars once a year, but not every change of wind somebody goes to Miami to do shopping and/ want to pay the Government, because after all the Government must have money to carry on and I feel that once a year two hundred dollars would not be a bad deal.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, I feel that two hundred dollars a year and not putting some restriction on it would be most unfair to the treasury of this Government, I don't think this country can afford that. I will support, Sir that we go one hundred dollars for one trip per year, but say two hundred dollars and no limit to it while open we could be suffering a substantial loss here. I will support as I said before one hundred dollars for a trip per year, but I cannot see us going two hundred.

MISS ANNIE M. BODDEN: Mr. Chairman, two hundred dollars would only get you one frock and two pair of shoes, I reckon. The last time I went to Miami I bought an evening gown for a hundred and fifty-one dollars. So if I went to Miami I would say that one hundred dollars wouldn't be any good to me bringing back stuff.

HON. D.H. FOSTER: Mr. Chairman, you're going to change it to a hundred dollars Sir, and just change it to a hundred dollars and don't put any trip business on it. It's going to very difficult to police it Sir, who's going to know how many trips you made for the year? At least certainly not the Customs people because you mightn't have the good fortune to meet the same Customs people at the time you come in. But if you're going to change it I suggest you just change the figure and nothing else.

CAPT. KEITH P. TURNER: Mr. Chairman, that echo is my feeling. Well I think a hundred dollars a trip regardless of whether you make one trip, four trips, five trips a year basically it's just like what Miss Louie just said, really what is a hundred dollars, it's small and I don't think that what the Government could lose from that would be noticeable. I feel a hundred dollars is a fair allowance and they can make as many trips as they want. People who spend their money running up and down bringing in a hundred dollars worth of stuff won't make much difference to them.

MR. J. GALTON SMITH: Mr. Chairman, I would support the figure of one hundred dollars but then on the other hand as it has been said here before, I think we'd better look at this very seriously because leaving it wide open this could be taken advantage of and before we know anything we'll have people making five and six trips per week here which could really hurt the treasury of this Government. I will support the one hundred dollars but as I said they must put a restriction on it.

MR. JOHN B. MALLEE: Mr. Chairman, I feel a hundred dollars is a good figure. I can't see somebody really making more than one trip just to accomplish getting a hundred dollars free because we must take into consideration the cost of fare and from here to Miami isn't short until. So I go along with the hundred dollars.

MR. IRLMAIN D. EDGECOMBE: Mr. Chairman, I would support the hundred dollars too and I don't see where the restrictions should come in because as he said, I can't see a person making four or five trips a week just to get in a hundred dollars free, because it costs a lot you have to buy tickets and everything else to go back and forth, so you're still spending money.

HON. V.C. JOHNSON: Mr. Chairman, I deliberately didn't say anything because I want the House to decide what the allowance should be. If the decision is that it should be a hundred dollars without restriction so let it be.

MRS. ESTHER L. EDGECOMBE: Mr. Chairman, the only thing I have to say Sir, I thought it was clearly understood when we spoke about it in the Finance Committee, I think that's where it was, what we would put it at fifty dollars and try it out for a period of time, and I feel that we should try it out at the fifty dollars because most Caymanians travel a lot and me for instance I go away almost every month and if I'm allowed fifty dollars each time it's going to be a lot of money, the Government is going to lose. So personally I'm in favour of the fifty dollars, Sir.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, this privilege was abused in the past, Sir, and I think that's why there was no allowance made in the past and there's no reason why this will not be abused in the future, that is why we should agree with the Third Elected Member from West Bay, that we should give this a try at fifty dollars.

MR. CHADDOCK EBANKS: Mr. Chairman, I am not a travelling businessman, four and a dozen times a year and I thought that I made that clear. It ought not to apply to business people, or half a dozen times a year and the holiday people, groups that would go on a weekend or a two weeks vacation and come back, that's only once a year probably and some of them might be on every second or third year. But was to find the money to pay a hundred dollars for your ticket or other words to go up to Miami and just say to get reimbursement on a hundred dollars it would cost you two hundred and fifty dollars - a hundred dollars for your passage, and then hotel accommodation, taxis and taxi fare and all the things put together then you're going to spend two hundred and fifty dollars to save five dollars/[illegible] stuff, it just don't hold down to make sense. Nobody in our community is not illiterate as that, if they're going on a vacation then they're going on a vacation and when they come back then if it's an exemption on a hundred dollars they expect that, but if somebody is in business a half a dozen times a year or as the Member has pointed out that she goes practically every month, well I don't see that she needs an exemption on duty because she has enough money to make a dozen trips to some place in the world then I wouldn't ask for it.

HON. TRUMAN M. BODDEN: Well Mr. President, you are.....

MISS ANNIE H. BODDEN: Mr. Chairman, as I said I personally will not benefit from it, but I feel that once a year two hundred dollars if you're going to make any concession at all; apart from that let's forget about it. Because if I went to Miami I'd bought two frocks or I might get three for a hundred dollars, one pair of shoes, three pairs of stockings that would be two hundred dollars gone.

MR. PRESIDENT: I don't think the lady Member need go any further.

MISS ANNIE H. BODDEN: Sir? I'm deaf now, that's my last activity...

MR. PRESIDENT: I was getting alarmed with the description of clothing. I said I didn't think you need go any further.

HON. TRUMAN M. BODDEN: Mr. Chairman, if the Law is to have that it should only be so much per annum then perhaps the procedure which was used in the United Kingdom for exchange control in which a little slip of paper was put in the back of one's passport and the amount entered on it would probably have to be done to police it, this would be quite a problem. But I have seen that done in relation to exchange control, and I would assume that the Immigration Officers would take the declaration, enter the amount, initial it and just make sure that, you know, the declaration didn't go in excess. About the only way I see of doing it if you impose that type of restriction, Sir.

MR. CHADDOCK EBANKS: Mr. Chairman, if we're a free people of free movement to enjoy our free labour we should not be brought into what is the system in the United Kingdom or any other country, it's only simply making an exemption on what some amount whether it's fifty dollars, whether it's a hundred dollars or whether it's two hundred dollars to a traveller leaving these Islands to go off to visit, whether it's on a vacation or whether it's to visit the sick or whether to go for anything, when he or she comes back if they have brought a hundred dollars' worth of stuff to be exempted from duty, and if we can't honour our people to that extent, about bringing in other regulations and this and that and what not then forget about it.

HON. TRUMAN M. HODDER: Mr. Chairman, I was merely trying to point out a procedure by which the Member could more easily or more readily achieve, you know the one a year process. I mean that is all I was doing. So I just want to point that out to the Member from North Side. I'm not trying to make things complicated, I'm merely saying this is a way that it has been done before, it goes in accordance with what you were saying.

HON. G. MAIC BODDEN: Mr. Chairman, I would say the Legislature giveth and the Legislature taketh away. If we pass this Bill and we find out that the amount is too small or too big we can either increase it or reduce it. If we find out that it is being abused we could stop it altogether. So I think we can arrive at a figure, fifty dollars has been mentioned as the minimum, two hundred dollars as the maximum, I think it would be reasonable for us to accept the midway line of a hundred dollars now. I don't suppose the Third Official Member would be too much against that, I believe he would agree with that, because when we talk about a hundred dollars the loss to Government is really not a hundred dollars, but a fifth of that the duty would be twenty dollars lost on it. The way I read this is that the goods up to the value of a hundred dollars we're losing is not the duty of a hundred dollars so I would think that if there is a motion for it to be a hundred dollars we should look at that and if it's too much we can reduce it and if it's too little we can increase it.

MR. CHAIRMAN: I think the Committee has discussed this fairly widely and perhaps the best way to resolve the difficulty is to have a motion from the floor that clause 2(3) be amended by substituting one hundred dollars for fifty dollars at the end of the clause. We can then vote on that and decide whether a further vote is required.

CAPT. KEITH P. TIBBETTS: I'll make the motion that it be put to one hundred dollars.

MR. JOHN B. McLEAN: How much?

CAPT. KEITH P. TIBBETTS: To one hundred dollars.

MR. CHARLTON BRAINE: I second that, Mr. Chairman.

MR. CHAIRMAN: Well, the motion is that clause 2 under capital "C", small roman three, the amount of one hundred dollars be substituted for fifty dollars therein.

QUESTION PUT: AGREED.

MR. CHAIRMAN: Well, I'll now put the question that clause 2 as amended do stand part of the Bill.

QUESTION PUT: AGREED.

CLERK: A LAW TO AMEND THE CUSTOMS LAW (REVISED)

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: We'll turn now to a Bill entitled The Currency (Amendment) Law, 1976.

THE CURRENCY (AMENDMENT) LAW, 1976

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED.

CLERK: CLAUSE 3. LAW 1 OF 1974 AMENDED.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: A LAW TO AMEND THE CURRENCY LAW, 1974. LAW 1 OF 1974.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: The next Bill is a Bill/intituled The Hotels Aid (Amendment) Law, 1978.

THE HOTELS AID (AMENDMENT) LAW, 1978

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 6 OF 1976 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE HOTELS AID LAW, 1976. LAW 6 OF 1976.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: We then next to a Bill/intituled The Veterinary Law, 1979.

THE VETERINARY LAW, 1979

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. ESTABLISHMENT OF BOARD.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. FUNCTIONS OF THE BOARD.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. REGISTER.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. APPLICATION FOR REGISTRATION.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. REGISTRATION.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. AMENDMENT OF REGISTER.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. CANCELLATION SUSPENSION AND STRIKING OFF.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: CLAUSE 10. APPEALS.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: CLAUSE 11. PENAL.

QUESTION PUT: AGREED. CLAUSE 11 PASSED.

CLERK: CLAUSE 12. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 12 PASSED.

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. SCHEDULE PASSED.

CLERK: A LAW TO CONTROL THE VETERINARY PROFESSION.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: That concludes examination of The Veterinary Law, 1978 and this might be a suitable time to suspend for fifteen minutes.

HOUSE RESUMED

MR. PRESIDENT: The Assembly is resumed and I'll suspend for fifteen minutes.

Proceedings are resumed. We will again resolve into committee to consider the two outstanding Bills.

COMMITTEE STANDS

MR. CHAIRMAN: The Assembly is in Committee. We'll continue with examination of Bills. A Bill/entitled The Continental Shelf Law, 1970.

THE CONTINENTAL SHELF LAW, 1970

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PROPOSED:

HON. G. CRAIG DODSON: Mr. Chairman, in clause 1 an amendment has been circulated to add the figure 1978 to it.

MR. CHAIRMAN: It's been proposed that clause 1 be amended by adding the figure 1972 after the word "Law".

QUESTION PUT: AGREED. CLAUSE 1 AS AMENDED PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. EXPLORATION AND EXPLOITATION OF CONTINENTAL SHELF.

QUESTION PROPOSED:

HON. G. CRAIG DODSON: Mr. Chairman, there's an amendment to clause 3 to delete the words "Petroleum (Production) Law" and substitute for them "Petroleum Law, 1978".

HON. D.E. FOSTER: Mr. Chairman, shouldn't that some amendment be made to clause 2 under the definition of "petroleum", Sir?

HON. TRUMAN G. BODDEN: Mr. Chairman, you'd also need to just take Cap. 123 out of the marginal notes. It has Cap. 123 right opposite that. I was just mentioning, Sir, perhaps we should just delete that as well.

HON. DAVID M. McEWEN: The Honourable Member is quite correct at the table, I think without that the amendment can be done a formal amendment.

MR. CHAIRMAN: Pardon.

HON. DAVID D. DAWICK: That amendment can be made at the Table.

MR. CHAIRMAN: I'm not sure whether clause 2 should also be amended.

HON. DAVID F. BARWICK: Of course 2 would be called again, Sir. The amendment as I understand is that the words "Petroleum (Production) Law" in the last line of clause 2, that is to say the reference to the old Law be explained by the reference to the law which is now before the House and which will be taken in its committee stage after this Bill, Sir; that's to say The Petroleum Law, 1978. And if that amendment be agreed to, Sir, the reference in the margin to Cap. 123 will become surplus and can be struck out, I think without a formal amendment at the Table.

MR. CHAIRMAN: Well, I'll call clause 2 again. The suggestion is that the definition of "petroleum" should be amended to refer to The Petroleum Law, 1978 which will be dealt with in committee immediately after this Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

MR. CHAIRMAN: I will now put the question that clause 3 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. PROTECTION OF INSTALLATIONS IN DESIGNATED AREAS.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. APPLICATION OF CRIMINAL AND CIVIL LAW.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. SAFETY OF NAVIGATION.

QUESTION PUT: AGREED. CLAUSE 6 PASSED.

CLERK: CLAUSE 7. ENFORCEMENT.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. DISCHARGE OF OIL.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. AGREEMENTS AND LICENCES.

QUESTION PROPOSED:

HON. C. CRAIG BODDEN: Mr. Chairman, an amendment has been circulated to clause 9 to renumber the clause as sub-clause (1) and to add the following new clause being "sub-clause (2). "Nothing in the Petroleum Handling and Storage Law shall apply to anything lawfully done or omitted to be done, under an agreement or licence under this Law.". This was necessary because the Petroleum Handling and Storage Law was put forward before this and to make certain that there wasn't any conflict between them.

QUESTION PUT: AGREED. CLAUSE 9 WERE AMENDED AS SET OUT IN THE NOTICE PAPER.

QUESTION PUT: AGREED. CLAUSE 9 AS AMENDED PASSED.

CLERK: CLAUSE 10. PROSECUTION OF OFFENCES.

QUESTION PUT: AGREED. CLAUSE 10 PASSED.

CLERK: A LAW TO MAKE PROVISION FOR THE PROTECTION, EXPLORATION AND EXPLOITATION OF THE CONTINENTAL SHELF FOR THE CAYMAN ISLANDS, THE PREVENTION OF POLLUTION IN CONSEQUENCE OF WORKS IN CONNECTION WITH THE CONTINENTAL SHELF AND FOR OTHER PURPOSES RELATING THERETO.

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: We turn finally to a Bill entitled The Petroleum Law, 1978.

THE PETROLEUM LAW, 1978

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. VESTING OF PROPERTY IN PETROLEUM IN HER MAJESTY.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. APPLICATION FOR PETROLEUM AGREEMENTS AND LICENCES.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: CLAUSE 5. MODE OF APPLICATIONS.

QUESTION PUT: AGREED. CLAUSE 5 PASSED.

CLERK: CLAUSE 6. EXPLORATION LICENCE, PETROLEUM AGREEMENTS, ETC.

QUESTION PROPOSED:

HON. C. CRAIG BODDEN: Mr. Chairman, an amendment has been circulated to clause 6. This amendment is similar to the one in the Continental Shelf Law and I would ask the House to accept it.

MR. CHAIRMAN: The question is that clause 6 be amended by the insertion of a new sub-clause (7) as set out in the notice paper.

QUESTION PUT: AGREED.

HON. THOMAS M. BODDEN: INAUDIBLE. MIKE NOT ON.

MR. CHAIRMAN: Pardon.

HON. THOMAS M. BODDEN: INAUDIBLE. MIKE NOT ON.

MR. CHAIRMAN: No, no, that was on the amendment to add subsection (7) to clause 6.

HON. THOMAS M. BODDEN: INAUDIBLE. MIKE NOT ON.

HON. D.H. FOOTER: I agree with the Member, Sir, up to the point.

HON. CHAIRMAN: Well, perhaps somebody could write a formal amendment to know what the exact form of word should be, perhaps the Attorney General might help.

HON. THOMAS M. BODDEN: I could make a suggestion to the Attorney General to look at, to move that it be amended by deleting the word "of" where it appears after the word "period" and substituting therefore the words "not exceeding".

HON. DAVID R. DALWICK: The amendment proposed by the Honourable Member would achieve his purpose, Sir. I think that this Committee might however be assisted by the observations of the Honourable mover of the Bill as to whether there's any practical scientific or industrial reason why this period of two years should have been inserted there in the first place. It may have reference to the techniques involved in exploring for oil. The amendment of course would not prevent a licence or an exploration licence of up to two years being issued in the first instance if this was normal in the industry, but from a legal workable point of view the amendment achieves what the Honourable mover of it has in mind.

HON. G. HAIG BODDEN: Once the licence is granted it could be renewed from time to time, but I think what the First Member here is saying is that if you gave somebody a licence and the person just held the licence and failed to act you would have to wait two years if you had given it to him for two years, but if you put in the words "not exceeding two years" and let's say fifteen months had gone and he hadn't acted you would have some opportunity of asking him to enforce his licence or do something about it. If you gave it to him for two years you wouldn't be in a position to bargain with him until after the lapse of the two years. So there would be no objection to putting in the words "not exceeding" because if Government felt that he was just sitting on the licence for two years to pass you would be in a position to bargain with him.

MR. CHAIRMAN: Well, the question is that sub-clause (3) of clause 6 be amended by striking out the word "of" in the first line before the words "two years" and inserting the words instead "not exceeding".

QUESTION PUT: AGREED.

MR. CHAIRMAN: There are now two amendments to clause 9, one in clause 3 and a new sub-clause (7) which has been added.

QUESTION PUT: AGREED. CLAUSE 6 AS AMENDED PASSED.

CLERK: CLAUSE 7. GRANT OF MORE THAN ONE EXPLORATION LICENCE OR PETROLEUM AGREEMENT.

QUESTION PUT: AGREED. CLAUSE 7 PASSED.

CLERK: CLAUSE 8. NOTIFICATION OF ANY EXECUTION, SURRENDER ETC. OF A PETROLEUM AGREEMENT.

QUESTION PROPOSED:

HON. DAVID M. BANNICK: There's a misspelling of the word "petroleum" in the last line which must be corrected.

MR. CHAIRMAN: Thank you. I think that amendment can be made by the Clerk.

QUESTION PUT: AGREED. CLAUSE 8 PASSED.

CLERK: CLAUSE 9. REGULATIONS.

QUESTION PUT: AGREED. CLAUSE 9 PASSED.

CLERK: CLAUSE 10. PERMISSION TO MINE UPON LAND.

QUESTION PROPOSED:

HON. G. HAIG KIRKCONNELL: Mr. Chairman, I have an amendment for clause 10. I must apologize for not having circulated it. The amendment would add in the line before the last between the words "therein" and "or" we would insert "and/or any loss of the lawful use of such land". This would make a provision whereby the land owner would be compensated for loss of the use of land. Section 10 deals with provision for compensation or damage caused to the land and for crops, but it doesn't make any provision for the loss of the use of the land and this amendment would surmount this. These words have been framed by the Second Official Member and I would ask that this be inserted.

MR. CHAIRMAN: Well, the question is that clause 10 (1) be amended by inserting between the words "therein" and "or" in the penultimate line the words "and for any loss of the lawful use of such land".

QUESTION PUT: AGREED.

QUESTION PUT: AGREED. CLAUSE 10 AS AMENDED

CLERK: CLAUSE 11. PENAL.

QUESTION PUT: AGREED. CLAUSE 11

CLERK: CLAUSE 12. REPEAL OF CHAPTER 123.

QUESTION PUT: AGREED. CLAUSE 12

CLERK: THE SCHEDULE.

QUESTION PUT: AGREED. SCHEDULE

CLERK: A LAW TO CONTROL PROSPECTING FOR AND EXPLOITATION OF PETROLEUM IN THE CAYMAN ISLANDS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

QUESTION PUT: AGREED. TITLE

MR. CHAIRMAN: That concludes examination of the new Bills in committee. We can take, I think this reporting stage this evening and leave the Third Reading for tomorrow or a subsequent day to avoid the need to suspend Standing Orders.

Proceedings in the Assembly will resume.

THE HOUSE RESUMED

MR. PRESIDENT: Proceedings are resumed.

THE CUSTOMS (AMENDMENT) LAW, 1978
REPORT THEREON

HON. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled The Customs (Amendment) Law, 1978 was considered clause by clause by a committee of the whole House and passed with one amendment as follows:- in section 2 the figure of the last line, "50" was replaced by the figure "100". That section, subsection (3) would read "If such passenger is a resident returning from an overseas visit personal and household goods at the discretion of the Collector up to the value of $700.". That was all the amendments, Sir.

MR. PRESIDENT: The Bill is accordingly set down for the Third Reading.

THE CURRENCY (AMENDMENT) LAW, 1978

HON. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled The Currency (Amendment) Law, 1978 was considered clause by clause by a committee of the whole House and passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for the Third Reading.

THE HOTELS AID (AMENDMENT) LAW, 1978

HON. JAMES M. BURNEY: Mr. President, I have to report that the Bill entitled The Hotels Aid (Amendment) Law, 1978 has been considered by a committee of the whole House and been passed without any amendments, and request that it be set down for a third reading during this session.

MR. PRESIDENT: The Bill is accordingly set down for third reading.

THE VETERINARY LAW, 1978

HON. C. RAIC BORDEN: Mr. President, I have to report that a Bill entitled The Veterinary Law, 1978 was considered by a committee of the whole House and passed without any amendments.

MR. PRESIDENT: The Bill is set down for third reading.

THE CONTINENTAL SHELF LAW, 1978

HON. G. PAUL BURNEY: Mr. President, I have to report that a Bill entitled The Continental Shelf Law, 1978 was examined by a committee of the whole House and passed with the following amendments. In clause 1 the figures "1978" were added after the word "Law". In clause 2 the word "Cap. 183" were deleted as well as the word "Production" so that the section reads "Petroleum" has the meaning assigned to it in the Petroleum Law, 1970. In clause 3, sub-clause (2) they also deleted the words "Petroleum (production) Law" and substituted the words "Petroleum Law, 1978". In clause 9 the clause was renumbered as sub-clause (1) and the sub-clause (2) was added which reads "Nothing in the Petroleum Handling and Storage Law shall apply to anything lawfully done or omitted to be done under an agreement or license under this Law".

MR. PRESIDENT: The Bill is accordingly set down for third reading.

THE PETROLEUM LAW, 1978

HON. G. RAIC BORDEN: Mr. President, I have to report that a Bill entitled The Petroleum Bill, 1978 was examined by a committee of the House and passed with the following amendments. In clause 6 sub-clause (3) the word "of" in the penultimate line was deleted and substituted by the words "not exceeding". Also in clause 6 a new sub-clause (7) was added which reads "Nothing in the Petroleum Handling and Storage Law shall apply to anything lawfully done or omitted to be done under an exploration license issued or a petroleum agreement entered into under this section".

HON. C. RAIS BOSDEN CONTINUING: Clause 10 (1) was amended by inserting between the words "therein" and "or" the words "and for any loss of the lawful use of such land".

MR. PRESIDENT: The Bill is accordingly set down for third reading.

ADJOURNMENT

MOVED BY HON. G.E. FOSTER:

MR. PRESIDENT: Before I put the question I'd like to make briefly two remarks. The first is that I circulated to Members a copy of a reply to a petition made to me as Governor and I advised them that there were fourteen approximate signatories to the petition. While the reply was being circulated to Members a further number of names was handed into my office containing one hundred and seventy-three names, so I wish to make clear that I was not attempting to mislead Members as to numbers. Those names came in after my reply had been circulated.

The second remark really concerns the procedure in the House. We're starting a new session and I'd like to ask the forbearance of Members in the matter of moving and contributing/[illegible] who are not Members of the House. The Standing Orders does not give me as Chairman any power to stop these practices, but if Standing Orders are silent in the matter Standing Order 84 (1) obliges us to observe the usage and practice in the Mother of Parliaments. Now even there there is no Standing Order to my knowledge which prevents people from being named and they frequently are, but I think there is a general forebearance on that when this is done it's done with some discretion, and I would simply ask Members to think along these lines for the remainder of the session.

QUESTION PUT: AGREED. HOUSE ADJOURNED AT 2.25 P.M. UNTIL TUESDAY MORNING THE 6TH OF APRIL, 1976.

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THURSDAY, 6TH APRIL, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON CAITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE H. BODDEN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

THURSDAY, 6th APRIL, 1970

1. QUESTIONS -

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER FOR HEALTH EDUCATION AND SOCIAL SERVICES.

NO.1 Will the Member state -

(a) The number of students presently studying abroad on Government Scholarships, and if any of these are non-Caymanians, and the different educational spheres in which they are involved?

(b) If any of these students are non-Caymanians, is there any guarantee that their bonds (if any) will be honoured?

NO.2 How many nurses are presently employed at the Government Hospital, and the numbers who are Caymanians?

NO.3. (a) What measures, if any, are being used to stop the use of drugs by students at the Government Schools?

(b) Have the students who recently were found to be using or having drugs in their possession expelled from the School, or what happened to these offenders?

MR. GEORGE C. SMITH OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO.4. What are the reasons for the high percentage of remedial students in Government Schools?

MR. GEORGE SMITH OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO.5. Were the policemen involved in the within incident reprimanded or disciplined in relation to the alleged offences committed at the Jubilee Pot Restaurant on December 6th 1969? If so, what are the reasons for so doing?

MR. JOHN B. McLEAN, MEMBER FOR EAST END TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER.

NO.6. Will the Member say whether, on the conviction in the courts of a non-Caymanian on a criminal charge, like drugs, etc. the offender is then subject to a deportation order?

2. PRIVATE MEMBER'S MOTION.

NO.1

Insurance on Government properties

TO BE MOVED BY MR. JOHN B. McLEAN CONSTITUENCY OF EAST END.

TO BE SECONDED BY MR. GEORGE C. SMITH CONSTITUENCY OF GEORGE TOWN.

3. GOVERNMENT BUSINESS-

(a) BILLS -

(i)	THE CUSTOMS (AMENDMENT) LAW, 1970	THIRD READING
(ii)	THE CURRENCY (AMENDMENT) LAW, 1970	THIRD READING
(iii)	THE HOTELS AID (AMENDMENT) LAW, 1970	THIRD READING
(iv)	THE VETERINARY LAW, 1970	THIRD READING
(v)	THE CONTINGENCY SHELF LAW, 1970	THIRD READING
(vi)	THE PETROLEUM LAW, 1970	THIRD READING

(b) GOVERNMENT MOTIONS:-

(i) NO.1 - CINEMATOGRAPHIC AUTHORITY TO BE MOVED BY HON. D.H. FOSTER

(ii) No.1:- NEWS MEDIA SELECT COMMITTEE TO BE MOVED BY MR. TRUMAN BODDEN

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THURSDAY, 6TH APRIL, 1978

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE H. BODDEN CONSTITUENCY OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

1. Will the Member state -

(a) The number of students presently studying abroad on Government Scholarships; and if any of these are non-Caymanians, and the different educational spheres in which they are involved.

ANSWER

Forty-six (46) students - All Caymanians

19	-	Teacher Training
8	-	Post Graduate
5	-	Nursing
2	-	Physiotherapy
1	-	Optometry
1	-	Dentistry
1	-	Pharmacy
3	-	Medicine
1	-	Engineering
1	-	Economics
1	-	Law
1	-	Social Science (Humanities)
1	-	Secretarial
1	-	Premedical
1	-	Social Work
1	-	Biology (Marine)
1	-	Business Machines
1	-	Accounts
1	-	Business Administration.

MISS ANNIE H. BODDEN: You got the answers, please?

HON. TRUMAN M. BODDEN: Sorry, the amount ma'am was forty-six.

MISS ANNIE H. BODDEN: I must say I'm a bit deaf, I don't hear too good this morning.

HON. TRUMAN M. BODDEN: Sorry. Forty-six students.

MISS ANNIE H. BODDEN: Forty-six, thank you.
Mr. President, if I may be permitted to ask. The two students who are studying under a scholarship along with six I would like to inquire as to why were these chosen in preference of Caymanians, if there were other Caymanians to fill the job?

HON. TRUMAN M. BODDEN: Mr. President, perhaps the Lady Member could further clarify that. I'm not certain what that question is.

MISS ANNIE H. BODDEN: Mr. President, according to the News Media, but I understand they are so unreliable and such liars that it might not be true. I saw in/Recent paper that a Fraser and Joy Ann Bodden's daughter, I don't recall what her name is, were on Government Scholarships. I would like to know why were these chosen in preference of two Caymanians?

HON. JAMES M. BODDEN: Mr. President, I think I should answer that because that really comes under my portfolio, Sir.

I don't agree with the Member that the News Media is that bad, but to answer the question, Mr. President, the six scholarships that were given out to the International College of the Cayman Islands and given to students in this country were given, let's see, four scholarships by Americans, two scholarships by Cayman Airways. When you have four scholarships that are given by Americans, besides that, Sir, I begged for these scholarships, these were not Government Scholarships and I begged to get these for the kids and the scholarship that was given to the American, the American has been here several years and I considered and the Board concurred with me that it was no more than right that if Americans had given four that at least one American should benefit back out of it. As for as Joy Ann Bodden's daughter is concerned, I think the majority of people look on this girl as being a Caymanian and she is planning to come back here and work in the tourist business, and we felt it was no more than right to do it and the Board again concurred that she right to do. I think this is very petty, Sir.

MISS ANNIE H. BODDEN: Mr. President, I am still not satisfied that if we have scholarships to award people that Caymanians should not be first considered regardless of who give them. Thank you, Sir.

HON. JAMES M. BODDEN: Mr. President, if the Lady Member would beg and get some for us I'd be sure that they would be given out to whoever she wanted them to be given to.

MISS ANNIE H. BODDEN: I wish you'd speak a little louder, please. I tell you I'm deaf.

HON. JAMES M. BODDEN: If the Lady Member would get out and get some scholarships and beg for them like I did I would be very glad to donate them to whoever she should agree that they should go to.

MISS ANNIE H. BODDEN: Mr. President, I don't want to be very controversial, but before Jim Bodden was ever in the Cayman Islands I was giving away scholarships at the Cayman Prep School. When the school was up behind here I paid a scholarship that I dare not even make my mother and sister know, so what he is doing now is not nothing new to me.

MR. PRESIDENT: I'll remind Members that question time is for asking questions and not for making statements.

I think we can go on to your next question,

MISS ANNIE H. BODDEN: I agree, Sir, but you got to defend yourself these days.

2. How many nurses are presently employed at the Government Hospital, and the number who are Caymanians

HON. TRUMAN M. BODDEN: Mr. President, the written answers should be here shortly because we had to divide them up instead of all on one sheet of paper. So I apologize for that.

ANSWER:

There are 48 nurses presently employed at the Government Hospital in Grand Cayman, and six (6) in Cayman Brac - Faith Hospital, making a total of 54. Of these, 36 are Caymanians and 18 are non-Caymanians. The breakdown into nationalities are as follows:-

GRAND CAYMAN			
Chief Nursing Officer		1	Caymanian
Supervisors	2 vacant	4	Caymanians
Staff Nurses	3 vacant	10	
		7	Caymanians

		1	English
		1	Canadian
		1	Nicaraguan
		1	Barbadian
		1	American
		4	Jamaicans
	Provincial Nurses 1 vacant	21	
		18	Caymanians
		2	Jamaicans
		1	Honduran
	Public Health Nurses	4	
		1	Caymanian
		1	St. Lucian
		2	Jamaicans.
	Provincial Health Nurses	3	
		2	Caymanians
		1	Colombian
	CAYMAN BRAC		
	Nursing Supervisor Anaesthetist	1	Jamaican
	Staff Nurses 2 vacant	2	
		1	U.K.
		1	Jamaican
	Practical Nurses 1 vacant	3	
		2	Caymanians
		1	Canadian

MISS ANNIE H. DOBSON: You don't have the mobile passing around?

3. (a) What means, if any, are being used to stop the use of drugs at the Government Schools by students?

(b) Have the students who recently were found to be using or having drugs in their possession expelled from the School, or what happened to these offenders?

May I remain this please?

ANSWER:

There have been reports of isolated cases of the use of drugs at the Cayman Islands High School.

To date there has been no report of drugs used at the Government Primary Schools.

The following measures are taken at the Cayman Islands High School to prevent the use of drugs.

(a) There is a strong system of surveillance carried out by teachers and senior members of staff which involves a patrol of the entire school premises and the adjacent areas starting early morning and continuing throughout the entire school day. Any evidence of drug abuse by pupils is immediately reported to the Police.

(b) The school nurse also is very vigilant to detect any abnormal behaviour which would indicate the use of drugs.

(c) Counselling from the pastoral staff is available to help students who are having personal problems including drug abuse.

ANSWER:

8 (b) In the case of the students who were recently suspended from the school because of the use of drugs, the police were notified but could find no evidence of drug possession even though the boys later confessed to the Principal that they had been smoking ganja.

The students were suspended from school and the parents were contacted.

The matter is further to be taken up by the Education Council at its next meeting.

MR. CHADDOCK EVANS: Mr. President, a supplementary question. Was any attempt made to discover from these students where they had obtained this ganja?

HON. TRUMAN M. BODDEN: Mr. President, I understand that they were interrogated within the legal ambit to which they could be interrogated. However, this is information which carries with it what you call an evidential privilege and I do not have access to it, but I would assume that this interrogation was carried out, or I know it was carried out and I assume that the police would have that information and they would be examining this interrogation within the legal ambits of the law.

MR. GEORGE C. SMITH: Would the Member care to state whether there's a government policy or a school policy to reject the children from school if found or suspected of having dangerous drugs?

HON. TRUMAN M. BODDEN: The children have been suspended and I hope to have a policy on this when the Education Council next sits, but at present for all practical purposes they are not in school. The question of whether they would be allowed back in is one which the Education Council would take, Sir at a later date.

MR. CHADDOCK EVANS: Mr. President, with the respect to the Member I will have to contradict his statement because all except one of these students is travelling on my bus back to school.

HON. TRUMAN M. BODDEN: If I may be given just a minute, Mr. President.

Mr. President, I understand that the Chief Education Officer has stated that the children could go back to school and we have asked her to revoke that and they are still suspended. So I assure the Member that at this stage the suspension still remains and it will remain until the Education Council sits and makes the decision on this.

MR. CHADDOCK EVANS: Mr. President, four of those students got off my bus this morning in the High School compound.

MR. PRESIDENT: I think I can go on with the next question.

HON. TRUMAN M. BODDEN: Mr. President, I think we have a bit of a technical problem here on the actual written answers. While I can agree with the Clerk that these should be on separate sheets of paper, we did have them stencilled, Sir, but unfortunately several or two of the answers which have already been given were on the same sheet of paper, and I'm wondering, Sir, if perhaps they could be circulated in that form because at present we find it difficult to get these restencilled and back here in time for them to be of use to the Assembly. What really has happened, Sir, is that the answers that I have now given follow on a sheet of paper.

MR. PRESIDENT: I have no objection if Members don't mind showing their hand in advance, because the answers to the questions to follow will be circulated before the question is replied to. If the Member wishes to distribute I have no objection.

HON. TRUMAN M. BODDEN: Sir, I would prefer to do that because .....

MR. PRESIDENT: Is the Member ready to proceed with replies if I ask the Member for George Town to frame the next question?

HON. TRUMAN M. BODDEN: Yes, Sir.

THE SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN TO ASK THE FIRST ELECTED MEMBER FOR EXECUTIVE COUNCIL RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

What are the reason for the high percentage of remedial students in Government Schools?

ANSWER

Some pertinent reasons for the high percentage of remedial students in Government Schools are:-

1. Partial failure of the Educational system including the Comprehensive School System.

2. Poor Attendance/Truancy. Legislation is now being considered to provide for an Attendance Officer whose responsibility will be to ensure that children of compulsory age, are in attendance at school.

3. Failure to reach a sufficiently high standard of education in the Primary Schools which is partly due to (1) lack of parental involvement by some parents in early childhood education. (2) Overcrowding in some schools. (3) Parents identified handicap children whose parents refuse to accept this problem and in some instances lack of facilities to deal with these highly specialised problems. (4) Lack of proper monitoring of child's advancement through Primary School to. Remediation should begin at first sign of a weakness in a subject area.

Government is considering ways and means at the present time of instituting corrective measures where necessary. For example, consideration is now being given to bringing the Handicapped School under Government's control/supervision.

Examinations will be given at more regular intervals.

4. The Education Department has recently instituted a monitoring system to detect children who show signs of learning problems during the early years in school. Additionally, plans are in the making for the institution of an Adult Education Programme. (Mainly for information on Family Life Education and the operations of the school system).

SUPPLEMENTARY:

MISS ANNIE E. BODDEN: Mr. President, I see that I have to change my good resolutions. Why have not the answers to my questions circulated in time that I could've seen what I was being told?

HON. TRUMAN M. BODDEN: Mr. President, I apologize for this, I thought that I had sufficiently explained that, that's why I gave the Lady Member a copy of this -(Miss Annie E. Bodden: When it was over.)- the questions were typed on one sheet of paper and I would have had no objection to this, but I would to comply with a request that they be put on separate sheets of paper. However, Sir,

HON. EDWARD M. BODDEN CONTINUING: I am fully prepared either now or perhaps at a later stage to answer any further or other questions that the Lady Member or any Member may have in relation to it, if she feels that anything further should arise Sir. I'll either do it in this House or I'll do it privately, Sir.

MR. PRESIDENT: If there are no supplementaries to this question we can proceed to the next one.

THE SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN TO ASK THE HONOURABLE CHIEF SECRETARY.

Were the policemen involved in the within incident reprimanded or disciplined in relation to the alleged offences committed at the Lobster Pot Restaurant on December 5th 1977? If so, what are the reasons for so doing?

ANSWER:

The policemen involved in what is now called the "Lobster Pot Case" were neither reprimanded nor disciplined. An enquiry was carried out into allegations made by persons present in the Lobster Pot of Police brutality (The use and display of alcohol and immobility.

SUPPLEMENTARIES:

MR. GEORGE C. SMITH: Mr. President, would the Member then care to state why one police officer was confined to the police barracks for one month duration, and the second police officer refused permission to drive a vehicle for a period of one month?

HON. D.H. FOSTER: Mr. President, I am not in a position to answer that, Sir. I sought the information and this is the reply that I was given, and I believe the information that I am given is correct, Sir. I don't think that they were either reprimanded nor disciplined but an enquiry was held into the whole incident, I presume Sir, by the Commissioner, and probably these two policemen that he is talking about could've had some problem in the enquiry why disciplined, but I have every reason to believe that they were neither reprimanded nor disciplined for this particular incident, but it could be in the enquiry or something like that, but I really don't know the details myself, Sir, I'm only supposing or guessing at this.

MR. GEORGE C. SMITH: Mr. President, with all respect Sir, I'm not prepared to accept that answer as being a fact. However, I would also like to ask the Member if the Chief of Police or those concerned was so concerned about the public welfare and the use and display of alcohol, why is it when fourteen persons from George Town were arrested and a number of them put in a cell and locked up no investigation was brought into this matter?

HON. D.H. FOSTER: Mr. President, I'm afraid I haven't got the answer to that, I am not in the day-to-day context with these incidents at all, but I think it's just reasonable to expect that an enquiry should have been held if there were complaints from people that were present in the premises when the thing happened.

MR. GEORGE C. SMITH: Mr. President, another supplementary question, but I should say, more in a request form. I would appreciate if the Member would in the future say or give to the other Members of this Assembly Laws, Bills or anything to the effect that certain Laws are written for Caymanians and certain Laws are written for expatriates. With all respect Sir, I would like to clarify this point. In reference to the same Law that the persons were prosecuted under at the Lobster Pot we should we refer to "Lobster Pot Case" two separate institutions in this Island were prosecuted, the proprietors charged, the persons occupying the premises charged and yet it appears as if the police have been instructed that this Law does not apply to the Lobster Pot Case. And

MR. GEORGE C. SMITH (CAYMANIAN): The question Sir, is that I would appreciate if the Member would instruct other Members of the Assembly when such Laws are being passed which do not affect certain members of our community?

MISS ANNIE E. BODDEN: Write them and think Laws.

HON. D.H. FOSTER: Mr. President, that is ridiculous Sir. Our Laws apply to everybody in the country and no member of our Government issues any instructions to any Magistrate or Judge, Sir. We do not interfere with the Judiciary, that the Judge's privileges, Sir.

MR. PRESIDENT: Proceed to the next question.

THE MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END TO ASK THE HONOURABLE CHIEF SECRETARY

Will the Member say whether, on the conviction in the Courts of a non-Caymanian on a criminal charge, like drugs, etc. the offenders do then subject to a deportation order?

ANSWER:

Section 33 of the Caymanian Protection Law empowers the Governor in Council to order the deportation of certain categories of persons who are not of Caymanian Status or entitled to reside here permanently. One of these categories comprises persons convicted of an offence punishable with imprisonment in respect of which a Court has made a recommendation for deportation.

Deportation under the provisions in question does not automatically follow any conviction of the sort of which I have referred. There is a procedure laid down by the Law which is designed to make sure that deportation is only ordered where the seriousness of the case warrants.

SUPPLEMENTARIES:

MR. JOHN B MCLEAN: Mr. President, a further supplementary. Can the Member say why this has not been done in the case of conviction on ganja and ammunition?

HON. C.F. WISTAR: Mr. President, these things take time, Sir. The process that we have used up to this point is when a person is convicted especially of drugs and ammunitions and things of this serious nature the police generally send the recommendations to the Chief Immigration Officer, he then sends it up to me with recommendation to be declared a prohibited immigrant. And then this has to go to the Governor in Council, it just doesn't happen overnight. I know what the particular incident that the Member is referring to, and it will come about in due course. The process that we have used to this point is declaring that's prohibited immigrant and it serves the same purpose and the process is much easier to follow rather than have to apply through the Courts.

MR. JOHN B. MCLEAN: Mr. President, I'm really not and truly not thinking of one event, I know of several, but I do not feel it's right to see them go back to their jobs and continue working. It's just as good as the Court saying, go home and do it again.

MISS ANNIE E. BODDEN: Mr. President, I would like to ask the question. why is it that unfortunately women - I'm here to defend women now, since I can't do anything else - why is it that women seem to have harder sentences imposed on them than these men who are doing far worse? Could the Member responsible answer me that question please?

MR. PRESIDENT: It's rather far removed from the original question.

MR. CHARLTON WATKINS: Mr. President, if I may ask a supplementary. Would the Member say if a drug conviction in the Courts is not a criminal offence?

HON. D.H. FOSTER: Hum, Mr. President, it's a criminal offence.

MR. CRADDOCK ADAMS: Then Mr. President, if the offender is convicted as a criminal then, why does he have to take a piece of machinery to find out whether he should remain in the country or not?

HON. D.D. FOSTER: Mr. President, it doesn't take a piece of machinery, Sir, all I'm saying is, that it is more practical up to this point to use the P.I. system rather than the deportation system. If the Member looks up the Law on it it is very complicated, and if the Member would like I could ask the second Member to explain the process that has to be followed for deportation, and it would take a much longer time.

MR. CRADDOCK ADAMS: Mr. President, thanks for the answers but you'll hear more about it later.

MR. PRESIDENT: Well, that concludes question time and I'll ask the Clerk to continue with the remaining items on the Order of the Day.

CLERK: Private Member's Motion No. 1 - Insurance on Government Properties.

PRIVATE MEMBER'S MOTION NO. 1 - INSURANCE ON GOVERNMENT PROPERTIES.

MR. JOHN D. MCLEAN: Mr. President, private Member's motion No. 1.

WHEREAS the insurance of Government properties has been placed with an insurance company affiliated with Jamaica and not with foreign insurance companies which are not subject to currency restrictions

BE IT RESOLVED that consideration be given to placing the insurance of Government properties with an insurance company or companies not subject to currency restrictions.

SECONDED BY: GEORGE C. SMITH.

MR. PRESIDENT: The motion has been moved and seconded, the Member may speak to the motion.

MR. JOHN D. MCLEAN: Mr. President, I feel it is very important that at this time Government should take certain steps to have their insurances removed and placed with companies which are not restricted to currency restrictions, as put forward in the motion. I do feel with the disaster taking place in Jamaica which we are all aware of, that it should be given a special thought and immediate action should be taken.

In the event of disaster on this Island, this could prove my point, because I don't feel that it would be that easy, although we may be told that, I don't feel it will be that easy to collect funds from a country with currency restrictions. Like I've said, in the event of disaster we all know that it will be an immediate need to get funds to assist in rebuilding, regardless of it's hurricane, fire or what have you. I feel these points are the most important ones and they could come about more easily than anything else and in that event, Sir, I feel like special thought should be given to it and Government should make these steps as stated earlier. Thank you.

MR. PRESIDENT: The motion is as set out in the notice circulated to Members and it's open for debate.

MISS ANNIE S. HODGES: Mr. President, I am very, I should say, worried about the situation should we ever have a disaster in this country. I would really like to be convinced that in the event that we had a fire, a hurricane or any such disaster and any or all of our buildings are covered by this insurance in Jamaica were destroyed or damaged do we have the full assurance that without so much delay, so much red tape that we could have the premiums paid? It has given me considerable thought, and I am wondering if we really have that assurance or just perhaps we might get it! I mean this is a very serious thing to have

MISS ANNIE R. BODDEN CONTINUING: that we could have this beautiful building and no assurance to have it replaced or rebuilt. As far as I am concerned insurance is more or less a racket, it doesn't seem to me that you get very much compensation back when you invest your money in it.

I have lost money on four insurances, I was sick, had an insurance for sickness and never got a penny. I had ten life insurances and I got sick and I couldn't maintain the premiums and I lost those, so if I get a spare penny I'm putting it into the bank. But I feel that does not apply to our Government, we must have assurance that we will get our money if and when necessary. And I feel that this is a good motion, and I feel that in as the guardians of the people's interests we should see that every precaution and move have been taken to see that if and when we have to collect that we'll know where we are getting our money from. I don't know anything about insurance but much enough when I pay insurance on my car, and when I had to collect of course I didn't get my back, and it's the same thing may be with insurance on buildings, I do not know, but I feel that we as the Government must have assurance that if the necessity arises we'll know where to turn to get the money. Thank you, Sir.

MRS. CONSTANCE D. EBANKS: Mr. President, I also rise to support the motion brought by the Member from East End, because, Sir, I think it is a very good one, and right in our Island today we see insurance policies maturing on life policies with companies in Jamaica and the people are not able to collect, up it nonexistence. What would happen if something happened to our buildings, are we really sure that we would get this money? And with the changing times and changing Government in Jamaica it causes one to wonder what would happen, because we never know when we'll wake up and hear that that country is gone completely and our insurance policies would be no longer of any use to us. So I support the motion, Sir.

MR. CRADDOCK EBANKS: Mr. President, this to me is a serious matter, I don't mean having the buildings insured is a serious matter, what is serious to me is where the insurance policies are carried out. It is heart rending as far as I'm concerned to run and hear that a beautiful country like Jamaica is falling in the rumble. Only a few days ago I read an article where that their imports were piling up at the docks in Jamaica, no money to clear their imports. No insurance would be accepted by me as an Elected Member of this House through the Financial Secretary or anybody else coming from Jamaica that money would be available in the case of a disaster, they don't have the assurance as far as I am concerned now to satisfy me, because if they don't have money to run their country the[n]/my way of thinking they don't have money to pay out millions of dollars in policies.

It was a concern recently/ not long ago when these insurance policies - our Government buildings were insured and we found out where the insurance was, and I feel with all due respect that this should be gone into by Government and other avenues of insurance companies be dealt with or it should be made where we don't have to be living in dread and fear as to collecting money if need be. I would hope that we never have a disaster so that we might make an militant use of this money, because having a disaster in this country that would destroy Government Buildings or a building, it could be a fire that just destroy one individual building, it's quite possible. We could have a hurricane, we could have an earthquake that would demolish many of Government buildings and probably hundreds of residential homes, so we wouldn't want to think in terms that we are fearing to look forward in expecting a disaster, not at all. But if we are preparing to have a disaster in Government buildings by an insurance then the policy of insurance ought to be in the hands of people that Government can turn to the next morning and it's taken care of. So, I give my support to this motion and do trust that Government will go into this at a very early convenient time and make further investigations to see that these insurances or transfers are removed from being dealt with or kept in Jamaica.

MR. GEORGE C. SMITH: Mr. President, some time ago at a rather informal meeting at the Government Building I made a remark to the effect that I found it

MR. GEORGE C. SMITH CONTINUING: quite insulting to be on committees to be asked to do certain Government work - so much Government work and not given proper information or enough information to make a sensible decision. I know someone will eventually come up and write to the Members of this Assembly that this decision was made by the Tenders Committee, a committee made up of persons, should we say, off the street, persons not having a working knowledge or a true knowledge or a comprehension knowledge of insurance. And I feel in cases like this that those persons should be given all the possible assistance so that they can make a comprehension decision.

The point I wish to make here is that the Tenders Committee in making their final decisions on deciding to award the insurance of Government properties to a firm in Jamaica or based in Jamaica, requested that in addition to the normal documents associated with insurance that a firm commitment guaranteed to be handled, so to speak, through a financial institution in the Cayman Islands which would guarantee Government their payments should a disaster occur. I am not convinced that this particular document has been tendered by the insurance company, however, I think due to the normal course of events somebody went ahead and made this, or should I say, signed the necessary documents appointing this suggested insurance company as the insurer for properties in the Cayman Islands. And I would say, Sir, that I think it's quite reasonable for us to look at - as hard as me - looking at this situation from another point of view that it's only fair that Government should examine the insurance on Government properties and seek a second or any number of other appropriate insurance companies. I thank you.

HON. V. PAIG BODDEN: Mr. President, the motion before us seems to be a timely one. It is true that for years the Government's insurance has been handled by a company located in Jamaica, but Jamaica has been in the current issue of the Observer, but today's paper the headlines reads "No foreign exchange to pay for imports", while the insurance company in Jamaica may have the best intentions in the world they won't be able to pay a claim unless the foreign exchange is available. It is true that the superintendent of insurance has given his word that claims will be met promptly, it is my opinion that his word isn't worth the paper anymore because he cannot pay it out of his pocket, and Jamaica is sick, there is no question about that.

The Government has already paid the annual premium I believe on the insurance for the Government's property, I don't know if any part of that premium could be refunded. It may be necessary for the Finance Committee to meet and to appropriate the funds for a new premium with a company that is situated outside of Jamaica. It is true that reinsurance have given their word or the company itself has said that "reinsurers will take care of the claim". But the question that bothers me is what will happen if the American based company goes into liquidation? It is my opinion that our claim like everything else in the company will just be part of a pool from which we'll draw nothing, and it might be difficult for us to give up an association that has worked well in the past, but nobody can look at the situation in Jamaica and be happy. I have had dealings recently with the Bank of Jamaica in trying to get claims settled for people who have life insurance with Jamaican companies or companies that are situated in Jamaica and I have been successful in getting the surrender of endowment policies, but recently over the last nine months it has been impossible to get even one penny out of Jamaica. The Bank of Jamaica will no longer even send you the form to apply on. I have a letter on my desk right now where I wrote the Bank of Jamaica asking them to send me the exchange control form and they replied by saying, "you can get this from the insurance companies", and the insurance company had previously written to say "we don't have the form, you can get it from the Bank of Jamaica". So, you can't even apply anymore worthless hope to get the claim settled, and this is a very serious situation and I think the Minister Member who moved this motion should be commended on moving it, and I think that Government should sit down and look at this and if necessary call the Finance Committee together and appropriate new funds for the payment of a new premium with a company that will not be subject to currency restrictions.

The remained section of the motion is asking that the insurance of Government properties be placed with a company or companies not subject to currency restrictions. I should say, not subject - and I would like that amended to read "not subject to unreasonable currency restrictions", because

HON. G. HAIG BODDEN CONTINUING: most of the companies would be subject to some currency restrictions. I believe even if it was an American company or an English company you would have to comply with some restrictions. I am willing to support this motion. If I remember right we did not take a Council decision on whether we should stand on this motion, but might have been earlier on in this year even in January or November last year when the Finance Committee met it no longer true. And I believe that if we were today talk to the superintendent of insurance in Jamaica if he is honest he would have to say, you people get out fast. Because it is my opinion that they're not anxious for us in Cayman to have insurance policies with them in Jamaica, because they can't help themselves, how are they going to help us? And I am willing to support the motion and if it is passed I imagine Finance Committee would have to meet and look seriously at this situation, and to deal with it as expeditiously as possible. Because it is no good of saying we can wait until the present premium is used up and when we go to renew we will look at a new place because we can have a fire tonight, we would have a claim tomorrow. And it is my opinion that with the recent developments in Jamaica over the last six weeks when Michael Manley got rid of the only sober person that was left in his Cabinet in the form of Hand Cone who was responsible for finance, I believe we must act and we must act right away, and I am willing to support the motion.

HON. KEITH P. TIBBETTS: Mr. President, I too support this motion, but listening to the statements made here this morning it puts a big question in my mind. I am not expecting an answer for it but it's just the matter of thought. When our buildings were insured with a Jamaican company what currency was used on a basis of insurance, whether it be our Cayman Islands dollar or the Cayman Islands dollar? I am not sure of the exchange rate today but I know it is not far from being two Jamaican dollars to one Caymanian dollar. This again, if it's insured in Caymanian dollars which would be the right applicable rate to the Cayman Islands it would make that much more strain on the insurance companies of Jamaica in having to pay a loss if it ever does. I fully agree with the other Members that Jamaica at this time according to all the news media has no funds that they can pay insurance with. If you read the Miami Herald of last Sunday the piece referred to by the Honourable Member in the Jamaica Gleaner, it tells you that Jamaica is really in a chaotic condition. So, the exchange rate is one thing I think we also have to think of that can make us probably move out from Jamaica insurance companies faster than anything else. I support the motion.

HON. TRUMAN M. BODDEN: Mr. President, I believe that an ounce of prevention is normally better than a pound of cure. At this stage as the Members have pointed out, over the past few months there has been a rapid deterioration in the amount of the reserves of foreign currency in Jamaica and at this stage it is no longer in the realm of probabilities of being paid large foreign currency amounts from there. We are now in the stage of impossibilities. Perhaps when this was placed - and I believe this - the situation was undoubtedly different, but we are now with us in a position where it is impossible to have any large claims settled in a foreign currency from funds which are in Jamaica.

The extent of this insurance is very large, I think it's on the physical buildings alone in excess of twelve million - when I say buildings, I mean including personal property - but along with this we have to look, Mr. President, at the amount which would accrue in the event of personal injuries which must inevitably go with any disaster, and this would undoubtedly put the amounts which we should be indemnified for under the policies many many millions beyond the value of the buildings themselves. While I believe that perhaps the Jamaican Authorities have good intentions the committee are filled with people who have lived with good intentions, and in this day and age it is not by itself a practical answer to a problem. I know that previously there was a move to put up a bond of I think a hundred and fifty thousand dollars with a bank here and to guarantee or have an indemnity from re-insurers.

Mr. President, the bond is really payable in the event of a large claim. Legally I think or legally I know the position with reinsurance is really that we must look finally to the insurers and

HON. TRUMAN M. BODDEN: CONTINUING: they look to the reinsurers, there is no direct contractual relationship between ourselves and the reinsurance companies. It could only be satisfied through an indemnity and not a guarantee, and in effect, Mr. President, it would really be to have an insurance policy issued from some of the Lloyds group or whichever of the large insurance companies that this risk was spread over. It may be better or I know it is better, Mr. President, to lose a few thousand dollars but to put that necessary prevention that we need in there to ensure that we can just safe that in the event of a large claim catastrophe or even, Mr. President, perhaps claims in the high hundreds of thousands or in the low millions that at least we would be assured that even an legally permissible claim there would then be no other barriers by which this Government could lose its money.

I think that this is very serious, and now that Jamaican foreign reserves have completely dried up and no longer is it possible to feel safe that we should take action and we should take it reasonably quickly to have this insurance placed with larger - I would rather see it spread out in more usual, even several large insurance companies or failing that, be placed perhaps with groups such as the Lloyds group which normally have some forty-nine percent of the risk spread over other large international companies. I agree with the Second Elected Member for Bodden Town that perhaps the word "unreasonable" should be added into the resolution itself and either himself or myself would be prepared to move that. And also in the recital we would need to add the word "unreasonable" in before "currency restrictions".

I support this motion. I think that it was well brought and well put forward and well timed, and I would ask Members that they look seriously at this and that we take and spread this insurance. And in fact, I believe that we should even within Government look further to make sure that insurance such as public liability insurance cover, like the Hospital, airport, and in fact I am looking at this range and would be hopefully meeting with the Honourable Financial Secretary to see whether perhaps other areas the risk that are open within Government would be covered. Based on this Sir, and as I've said, based on the rapid deterioration of the Jamaican currency situation I support the motion, and I would hope that in the near future we could have this matter fully cleared up and spread more or put with Lloyds or spread with large insurance companies, perhaps in Canada, the States or U.K. Thank you, Sir.

HON. V.G. JOURDON: Mr. President, after listening to the debate on this motion I can assure you that I am more worried about the disaster than the insurance. I know that this has been a political issue and it certainly should be. If there is an insurance policy on Government's property or vehicle, whether the claim is a twenty-five percent claim, fifty percent claim or a one hundred percent claim one wants to be assured that whatever the claim maybe that settlement is forthcoming when that claim is made. I think quite a bit has been said about the present arrangement, perhaps some of the statements are justifiable, perhaps some are not so justifiable.

Mr. President, there are no Caymanian insurance companies that insure any property or insure or offer any form of insurance which covers that insurance within the Cayman Islands, all insurance companies here are representations of foreign insurance companies, whether they are representing companies in Jamaica, United Kingdom, United States, Canada or else where. Over the past we have been closely associated with Jamaica and for that reason we find most of the insurance representatives in the Cayman Islands representing insurance companies in Jamaica. When the old Administration Building was burnt Government property was insured from those firms with Jamaican insurance company, the cover on that particular building was something in the vicinity of sixty thousand dollars and that cover had just been raised in recent timebefore the burning and Government was able to recover from that insurance something in the vicinity of fifty to thousand dollars. All of our claims on insurance companies in Jamaica until the present time have been settled without any difficulties, and I will repeat that, all claims to date have been settled without any difficulties. We have received within the last year assurance from the Government of Jamaica that any foreign policy written by any Jamaican companies would be honoured by the Government of Jamaica. The Caymanian policy is a foreign policy

HON. V.C. JOHNSON (continued): to Jamaica and therefore that assurance by the Government of Jamaica applied to the Cayman insurance policy.

Mr. President, the present policy covers properties and motor vehicles, it was awarded to a local company "Sun Isle Insurance Company" which is an insurance representative representing many insurance companies, one of those is the Jamaica Insurance Company carrying the cover for Government insurance. The insurance policy was awarded on the 1st July, 1977 it is usually a five year policy, the reason why we granted on a five year basis is that the premium becomes more attractive than if it is done on a yearly basis. But the premium is only paid on a yearly basis, which means that if there is any reason which would require action to be taken to amend or to nullify this policy then this can be done within that year. The year will be up on the 30th June this year, and so as many speakers have said, the motion has been brought at an opportune time.

Mr. President, a Member mentioned the committee which examined the Tenders, that is the Public Tenders Committee, I am aware that all the members of that committee are big-men in the insurance business, but Mr. President, we paid an insurance consultant one thousand eight hundred dollars to be consultant to that committee. And the consultant dealt with the tender and prepared a report which was presented to the Public Tenders Committee on which they considered the matter. The Public Tenders Committee in examining all the bids made certain recommendations. Now, there were large variations between the bids and there were speculations in Government as to why there should've been such wide variations between these bids. However, the Public Tenders Committee examined these, examined the consultants report and arrived at a decision. They were prepared to offer the contract to an insurance company if that insurance company was prepared to comply or abide by certain provisos, and these were that they should provide guarantees against any future claims, and the guarantee should be in the form of a guarantee provided by a local clearing bank. When the company was approached it was discovered that the company was covering only approximately ten percent of the insurance, in other words if the total cover was valued ten million dollars the company in Jamaica would be covering only one million dollars, the balance of the cover was being done by reinsurance companies in other parts of the world. They then made a proposal that they would provide a bank guarantee to cover their ten percent and that they would ask the reinsurance companies to provide this Government with assurance to say, that if any claims were made which exceeded the ten percents of the risks that they would meet this by remitting the funds directly to the Government of the Cayman Islands rather than remitting the funds through Jamaica where there were monetary restrictions, and restrictions which we were somewhat afraid.

This went back, Mr. President, to the Public Tenders Committee, no individual made any decisions here, the matter went back to the Public Tenders Committee and the Public Tenders Committee examined this and accepted what was put forward by the insurance companies. This was then presented to Government, approved and the contract was awarded in the usual manner and in the manner in which contracts have been awarded in the past on this particular subject.

Mr. President, the form of bond which was to be given by the local bank was decided on, the reinsurance companies were contacted by the Jamaican insurance companies and for some reason or the other there were long delays in the insurance companies complying with these requests. I communicated to the company and told the company that if these provisions were not going to be complied with that I would have no alternative than to give notice for the cancellation of the policy at the end of the year. I also notified the local company to whom the contract was awarded and told them that we had notified the Jamaican company that the contract would be cancelled at the end of the year because they had not complied with the request of this Government. They are now endeavouring to place the insurance in London with one of the big insurance companies at the same rate which was approved by this Government last year, if this is possible I will bring it back to Government and have Government's approval for this to be done. It will be economical, it will be to Government's advantage to have it done in this manner, cancelling the property and motor vehicle insurance with you in London. We are now preparing the schedule and the

HON. V.C. JOHNSON CONTINUING: notice for tender and this will be going forward shortly, unless the order can be placed in London as the local company is now trying to do.

As far as the motion is concerned, Mr. President, I agree with it, the only thing in that we have been taking action to correct the matter. I know that the Jamaican situation is something that concerns a number of us and I think that the earlier we have the matter of insurance clarified and regulated the better it will be. And so I have no strong views about this, as far as the currency restrictions are concerned there are currency restrictions in every country, there are currency restrictions here too but we are very liberal in administering ours. In the United Kingdom you have to have exchange control to repatriate funds, so it's not only Jamaica, Jamaica's problem is foreign exchange problem not really currency restrictions. So, as far as I'm concerned, Mr. President, I support the motion as well for what it is worth. Thank you, Sir.

MR. PRESIDENT: If there are no further speakers, does the mover wish to reply?

HON. JOHN H. McLEAN: Mr. President, I wish to thank Members for supporting the motion which I brought to the House. There were some very important points raised, and I do not feel we would be doing justice to our people if we would not agree to this.

In closing Sir, I do not see cause in waiting for a Minister to get something right.

MR. PRESIDENT: Well, the motion reads:-

WHEREAS the insurance of Government properties has been placed with an insurance company affiliated with Jamaica and not with larger insurance companies which are not subject to currency restrictions

BE IT RESOLVED that consideration be given to placing the insurance of Government properties with an insurance company or companies not subject to currency restrictions.

HON. TREVOR M. FODEN: Mr. President, could I just move an amendment to insert the word "unreasonable" between the words "to" and "currency" in the twelfth clause and the same thing in the last line of the resolution itself, Sir.

MR. PRESIDENT: Well, it has been moved that the words "not unreasonable" be inserted between "to" and "currency" both in the preamble and in the resolution section of the motion.

I'll put the question on the Amendment.

QUESTION PUT: AGREED.

MR. PRESIDENT: I'll now put the question, the motion as amended be approved.

QUESTION PUT: AGREED. THE MOTION AS AMENDED WAS PASSED.

THE CUSTOMS (AMENDMENT) LAW, 1970

THIRD READING

CLERK: The Customs (Amendment) Law, 1970.

HON. V.C. JOHNSON: Mr. President, I beg to move that a Bill entitled "The Customs (Amendment) Law, 1970" be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE CURRENCY (AMENDMENT) LAW, 1978

THIRD READING

CLERK: The Currency (Amendment) Law, 1978.

HON. V.G. JOHNSON: Mr. President, I beg to move that a Bill entitled "The Currency (Amendment) Law, 1978" be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE HOTELS AID (AMENDMENT) LAW, 1978

THIRD READING

CLERK: The Hotels Aid (Amendment) Law, 1978.

HON. JAMES M. BODDEN: Mr. President, I beg to move that the Hotels Aid (Amendment) Law, 1978 be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE VETERINARY LAW, 1978

THIRD READING

CLERK: The Veterinary Law, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to move that a Bill entitled "The Veterinary Law, 1978" be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE CONTINENTAL SHELF LAW, 1978

THIRD READING

CLERK: The Continental Shelf Law, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to move that a Bill entitled "The Continental Shelf Law, 1978" be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE PETROLEUM LAW, 1978

THIRD READING

CLERK: The Petroleum Law, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to move that a Bill entitled "The Petroleum Law, 1978" be given a Third Reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

GOVERNMENT MOTION NO. 1 - CINEMATOGRAPHIC AUTHORITY

CLERK: Government Motion No. 1 - Cinematographic Authority.

HON. D.E. FOSTER: Mr. President, I beg to move Government Motion Number 1 this.

SPEAKING WAS HON. HAROLD H. HAMPTON.

HON. D.B. SMITH: Mr. President, the Cinematographic Law provides for an authority to be elected by the Legislative Assembly every year. The last one is now expired and it's due to be re-elected again. I have suggested three names here, Sir, three Honourable gentlemen served with me last year and they did a good job and I am recommending that they serve again, Sir.

MR. PRESIDENT: Well, the motion reads:-

WHEREAS under Section 2 of the Cinematograph Law, Cap. 10 provision is made for the establishment of an Authority consisting of the Governor, three elected Members of the Legislative Assembly and one member nominated annually by the Governor to carry out the stipulations of the above-cited law and rules made thereunder

BE IT RESOLVED that the following elected Members be appointed by the Legislative Assembly to the Cinematographic Authority for a period of one year as from the 6th April, 1976 -

MR. CHARLES EBANKS

MR. GEORGE C. SMITH

MR. JOHN B. MCLEAN.

The motion has been moved and seconded and is open for debate. If there are no speakers to the motion I'll put the question.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 1 PASSED.

GOVERNMENT MOTION NO. 2 - NEWS MEDIA SELECT COMMITTEE

CLERK: Government Motion No. 2 - News Media Select Committee.

HON. TRUMAN M. BODDEN: Mr. President, I beg to move Government Motion No. 2, which provides as follows:-

WHEREAS the Select Committee appointed to investigate news, payments and other matters to news media and similar companies or persons and work done by them has found itself unable to conclude the investigation before the end of the last Session

BE IT RESOLVED that a Select Committee be set up to investigate news, payments and other matters to news media and similar companies or persons and work done by them and to report back to this Honourable House and that the same Members, viz -

TRUMAN M. BODDEN
JOHN B. MCLEAN
CHARLES C. SMITH
K.D. TIBBETTS
MRS. LUCREVIA C. EBANKS
G. HAIG BODDEN
CLIMATH C. EBANKS

be appointed and that all statements of witnesses and deliberations and proceedings before such previous Select Committee be deemed to be and become a part of this Committee.

SECONDED BY: G. HAIG BODDEN.

MR. PRESIDENT: Does the Honourable Member wish to introduce the motion?

HON. TRUMAN M. BODDEN: To say briefly, Mr. President, that it was not possible

HON. IRVING M. BOUDEN CONTINUING: to complete this. We have nearly completed the full committee report, its investigation and findings, and that I would hope to report this back to the House at the June sitting, Sir.

MR. PRESIDENT: well, the motion has been moved as read out by the Honourable Member and it's open for debate. If there is no debate I'll put the question.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 7 PASSED.

ADJOURNMENT

MOVED BY: HON. D.H. FOSTER

QUESTION PUT: AGREED. AT 12:05 P.M. THE HOUSE ADJOURNED UNTIL FRIDAY MORNING THE 7TH APRIL, 1972 AT 10 o'clock.

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON FRIDAY, 7TH APRIL, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. — PRESIDING

GOVERNMENT MEMBERS

HON. O.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.R. BARWICH, C.M.G.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE E. BODDEN, OBE	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS, JP.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS, JP.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

FRIDAY, 7th APRIL, 1978

1. QUESTIONS

MISS ANNIE H. SOUDEN CONSTITUENCY OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

NO.1. What were the earnings for CAL in affiliation with Air Florida from the 1st of December, 1977 to the 26th of March, 1978 and the expense for the same period?

NO.2. What were the NET EARNINGS for CAL from the 1st day of September, 1977 until the 30th day of November, 1977?

NO.3. (a) How many persons are presently employed by Cayman Airways, and what is the total amount of the monthly salaries paid to these persons so employed?

(b) How many of these are Caymanians?

(c) How much has the establishment of the Office at Houston, Texas, cost CAL to 26th March, 1978?

2. GOVERNMENT BUSINESS:-

GOVERNMENT MOTION NO.3 CAYMAN AIRWAYS, LIMITED TO BE MOVED BY HON. JAMES M. BODDEN

GOVERNMENT MOTION NO.4. KYTUCK OFF COMPANY TO BE MOVED BY HONOURABLE V.G. JOHNSON FINANCIAL SECRETARY.

3. DEBATE ON THE THRONE SPEECH

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FRIDAY, 7TH APRIL, 1978

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE E. BODDEN OF GRAND TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

What were the earnings for CAL in affiliation with Air Florida from the 1st December, 1977 to the 31th March, 1978, and the expense for the same period?

ANSWER

Cayman Airways, Ltd., although owned by Cayman Islands Government operates as a company under the Local Companies (Control) Law, and being in a competitive business, divulging its financial affairs may adversely affect its operation.

SUPPLEMENTARIES:

MISS ANNIE E. BODDEN: Mr. President, I should like to ask a supplementary question. Did not the same condition exist when we on this opposition side were asking the same question on CAL some time ago?

HON. JAMES M. BODDEN: Yes Sir, and that is why it is put forward this way because at that time the Member did not like the answer, but since that time it seems like it's been a little bit of a change of mind Sir, and this is a matter that should not be divulged to the public.

MISS ANNIE E. BODDEN: Mr. President, I have not had any change of mind. I feel that this information should be disclosed and the same thing applies as was before, and I repeat, I should like to know the answer.

HON. JAMES M. BODDEN: Mr. President, the answers can be given, and answers of this type are usually given at least once a month to the Members when we meet in Executive Council Room, but we do not feel it should be rightly divulged in an open House like this. We have two other airlines on the route that is in competition with us, and we are very glad to pass it around and let the Members see it, and most of them have seen it up at the Administration Building, Sir.

MISS ANNIE E. BODDEN: Mr. President, since all of this is secret I shall withdraw the other two questions, and I will not proceed to ask any other questions.

GOVERNMENT MOTION NO.3 - CAYMAN AIRWAYS, LIMITED

HON. JAMES M. BODDEN: Mr. President, I am very pleased to be able to move this motion before the House today. Permission was sought from you under Section 37 (2) (b) of the Constitution and Standing Order 24 (2) whether this motion could be moved, and you consented to the moving of this motion, Sir. The motion has been circulated, but I will read it.

WHEREAS it is expedient for Cayman Air Holdings, Ltd. to acquire a jet aircraft for making available to Cayman Airways, Ltd. to ensure the continuity, development and progress of the national airline and for the retention of the air rights under the United Kingdom/United States Bilateral Air Routes Agreement

HON. JAMES M. RODDEN CONTINUING:

BE IT RESOLVED that

(a) the Government of the Cayman Islands guarantee the raising of up to US$4.2 million or its equivalent in another currency whether by mortgage, bonds or other appropriate means by Cayman Air Holdings, Ltd. for the purposes of and incidental to the purchasing or lease/purchasing of a jet aircraft which it can make available to Cayman Airways, Ltd.; and

(b) that the Governor be empowered to execute any documents necessary for the purposes of such guarantee.

Mr. President, I would just in putting this forward state, that the Airline is very important to the continuing growth of the economy of the Cayman Islands. If it should be that Cayman Airways would have to be shut down it would be detrimental to the entire economy. It would be at that point foolish for us to go out and be spending the money that we are in promoting Tourism and the Financial centre. It is not true that other airlines could come in here and absorb our personnel, that is very noticeable at the present time because we have three airlines on the run, we have Southern on the operation. One of the reasons that justified the break with Lacsa was that Lacsa, through the Costa Rican Government, made a move that would have put all of the Pilots that were working for Cayman Airways out of work, because they would not be able to operate under a Costa Rican license as they had been doing before, the same thing holds through for Southern, Southern comes in here just about every day I think and there is no one that can say that Southern has a Pilot, a co-Pilot or any cabin crew that are Unemployed, it is impossible to have this done. Besides that, Sir, the company itself, although it has been faced with many problems, we feel certain that we've seen a little light at the end of the tunnel and with prudent management, with co-operation, with everybody working together that Cayman Airways eventually can be a success, and it is much cheaper for us to buy our own aircraft than to go ahead and continue to lease. As long as we lease all we're going to have to show for it is a bunch of rent receipts at the end of the time; when we buy we build equity, although in some cases this can be reduced due to depreciation over a period of years. But even so we do stand a chance of getting back some of the money we have spent, and during the time that we're in operation the operational cost is much less than if it were leased.

With these few words, Mr. President, I would leave the motion to the House here, and I seek the support of all of the Members of this House, and I feel certain that once this is viewed in the right manner that it will have the support which it should have. Thank you, Sir.

MR. PRESIDENT: *The motion is moved by the Honourable Member as read out and it is open for debate. A motion moved by a Member on the right hand side of the House does not need a seconder.*

MR. CHADDOCK EBANKS: *Mr. President, I am kind of wondering within myself why pause and quietness and reluctanceseemingly have swept over the House.*

Mr. President, the motion that has just been presented to the House is sensible, it's reasonable. The motion is not requesting anything unreasonable, all'n clear pointed reasons and figures. To the best of my knowledge the majority of the population in this country feels that there should be a continuation of an air service to the country... there has been a minority feeling and that feeling had stemmed from knowing the facts about the past life of C.A.L. or some of the facts at least. I am not going to go into the whole structure of the background of all of this, but when C.A. had the franchise to operate in and out of the Cayman Islands to serve this country, they walked out before the term of franchise was even reached, because they then could better their circumstances as they said. Long was then for sometime - previous to that, stopped over, stopped down flights back and forth across, and it served Lacsa good, and it served us good as well because Lacsa could operate from Costa Rica to Miami with full loads being able to refuel here and vice versa.

Well, we got some landing fees, we sold fuel and

MR. CHADDOCK EVANS CONTINUING: a bit of other work. When B.W. pulled out it left us without a direct air service, we had to go into this quick to find a solution to the issue and granted a permit to fly in and out their shuttle service. It wasn't too long before this Government was informed by the United States Government that they were not going to continue this licence, we would have to get a lease or a contract or get - this one was given just with an agreement of $7 40 and the plane operated and as far as the public knew - the most that they knew about the situation was that the plane was flying in and out here, passengers going and coming, they knew nothing more about the cost, the loss or anything else and they didn't bother. What has bothered me a little bit, not made me lose any sleep, for people to get on the public and try to inform the public that Lacsa operations cost this Government not one penny.

Some questions have been raised, how would Cayman Airways if it purchased a plane, how it would pay for itself? The answer to that would be through the selling of tickets, the movement of passengers and cargo, the same as Lacsa was paid for. It might be quite true that each month the Financial Secretary didn't sign a sixty thousand dollar cheque out of the Treasury to pay for Lacsa lease, but Lacsa lease was paid for out of the revenue is derived from passengers and freight and what else. What seems to have got the public or the minority sector of the public a bit flustered about was where we were going to get four point five million or four point two million dollars from to pay for a plane? No one asked the question, where we were getting the millions before to pay for all we got today?

Mr. President, to do something worthwhile is never easy, and I feel that if this country is to continue its growth of development, its growth of movement, particularly to our people, whether it is for health reasons, whether it is for pleasure reasons, whether it is for business reasons, business people to move back and forth, then by all means all should be made that we should continue to own and operate an airline. We went into it on a lease basis, and I think the figures will be shown pretty soon to where probably we might reach the end with a break even. Well, there were some times we were in the red but that's no different from other airlines going in the red. But as we see it, on a fair basis on agreement of a lease purchase over a period of years, then we would have a reasonable chance of survival and it would mean much in this country if we could continue this air service. I'll admit the plane we're using is rather somewhat small and we could profit a lot better if it was a bigger seating capacity. And I feel that Government ought to make - and I feel that Government will make every reasonable effort, to support what it feels will be - a good benefit to this country. My common sense could tell me that if B.A. folding today that some other airline couldn't move in tomorrow. The airline business is not handled and operated like a limit or truck line business.

It has further been pointed out or hinted to be rammed down the throats of the public that some other airline could come in and use our crew. I wonder what airline would move in here to start operation and would lay off thirty-five or forty employees from their country and employ that amount of Caymanians? When people make those types of remarks, if they got sense it must be something like in the brain of a chicken. It has been expressed why our mother country didn't give us a plane; I think they have done a lot to help us and it is getting time for us to learn to help ourselves some more. The BAC111 that we occupied and operated for a number of years - was offered to this Government, but the previous Government said, no, we couldn't afford it. Other arrangements were reached and made, Lacsa got the plane, we in turn leased the plane and paid enough lease to purchase about three. That reminds me of a yarn, if you want to call it that, of the fellow that got married with a two and six penny and he furnished and supplied everything including a dance for all night, and the next morning, the shocked his purse and he had sixpence left, and he said, if that isn't blowing money then tell me. And I think we really hadn't being blowing money than maybe a lease for Lacsa long enough to buy three planes, I dunk feel or I don't think that it isn't time for us to start blowing in somewhere else.

Mr. President, I am giving my support to this motion and I am hoping that within the very near future - because as I am aware the lease with Air Florida will expire on the 31st May unless a renewal agreement

MR. CHARLES BANKS CONTINUING: is reached before that time. But I am hoping that it will be possible for C.A.L. Board, management, Directors or somebody will find it possible to find a plane that will be suitable of a bigger carrying capacity that we can obtain through a lease purchase and be ready to start a new operation on a 707 basis after the termination of the present Air Florida lease. The plane, when paying a lease purchase, the payments would be far below or it ought to be below that of an outright lease. The plane should be insured that if things went wrong or things happened that we had to fold up, then we would have an insurance to help take care of things. So it just couldn't be - we couldn't be found in the position that we are found in with just a lease, because when the lease is up, we got some receipts and nothing else to hold on to. It is like renting an apartment, however long you stay in it you pay the rent, when the landlord gets enough of you or you get enough of the landlord you take your suitcase and walk out on the street to get a taxi to go somewhere else, you're just in the same boat that you just came out of.

And I feel that Members ought to look into this seriously and give their support and let us attempt for once to establish a fully owned Cayman Airlines operated by this Government and that it will be able to prove that it can be profitable, not merely to pour in money into the Treasury, we would like to see some of this, but for the sake of having good movements, a service twenty-four hours a day is what we really need and what we're looking forward to. And I feel that Members ought to look into this and give it their every support. I thank you, Mr. President.

HON. A.L. BODDEN: Mr. President, I rise to support this motion because there is no reasonable alternative before this House. The motion has been a very controversial issue and there is merit in some of the objections; however, Sir, we have to find a solution to our problem and this is where, in my opinion, the argument opposing this motion has failed. We have been told that other airlines will come in and carry on. As far as I am aware there is no proposal from any airline before Government, I am sure that we cannot get a proposal which is suitable to our country and its people unless the Government is prepared to give a guarantee that if money is lost we will make up the difference. As I see it, Sir, this is the result of the matter; do we come out of the airline business and let this important communication link fall into the hands of others who naturally are going to be in the airline business for a profit, or do we remain in the airline business to protect our economy and guarantee the future of our islands?

I fail to see the first alternative as anything other than a disaster to our economy, it is both negative and destructive. We have tried leasing of aircrafts in the past but this has been unsatisfactory to the majority of our people. The majority want the Government to purchase an aircraft for Cayman Airways to operate. Having arrived at this decision, Sir, we must face the facts and prepare to make arrangements. As most of the Members in this Honourable House can attest the termination of the lease agreement with Lacsa has been costly. We have to pay off C.A.L. debts to Lacsa and also pay them for their shares; the final amount due to Lacsa is not yet known but it will be a substantial amount. The lease agreement with Air Florida has been very costly and we cannot continue to operate under the terms, we must therefore shrug off the yoke. The people, Sir, must also be aware that we are beginning a new venture at a very great disadvantage, the money provided and requested in this motion, in my opinion, is insufficient, insufficient to pay off the accumulated debts, to purchase an aircraft and then to operate it with little or no working capital. It is true that the airline will generate more revenue, but it must also be known that Government will have to assist this new operation for a period of twelve to eighteen months.

Mr. President, we are faced with a challenge which requires courage and hard work. As I have said before, to purchase an aircraft is one thing but to operate it successfully is another. We have to spend money to make money, positive thinking requires positive action. The numerous projections show that the airlines will if properly managed, and new routes developed can succeed and show a profit. We must realize that when we talk about Cayman Airways' operation we are talking about the economy and future of the Cayman Islands, because no investor will come here and build a hotel unless he knows that there is a reputable airline serving the territory and one which

HON. C.L. KIRKCONNELL CONTINUING: will operate regardless whether it shows a profit or not. No tourists will come to our shores if they are uncertain that we do not have a dependable airline to bring them here and to take them back when their time has been spent. Individuals and companies will no longer regard us as a good tax haven if we do not maintain a proper air service; our seamen will also suffer hardship if we fail to provide them with an air service; the mail services will also be disrupted. this, Sir, plus a host of other things and other necessities of this territory too numerous to name will be affected.

The all-weather terminal about to begin its operation in Little Cayman will be gravely affected at this time if we fail to maintain a regular air service. We must regard an air service as an essential service which must be given every consideration. Our development and future is dependent on it. If we fail to provide this essential service the effects will be disastrous to our island and its people. I believe Mr. President, that I have made my contribution on this debate and I have honestly presented the facts. The problems of today could, when solved, offer the opportunities of tomorrow.

Mr. President, we have the nucleus of a good little airline on which we can build. Let us support and help them to build not only a better airline but a better country.

HON. H. M. H. MCLEAN: Mr. President, in support of this motion, I must start with saying that I consider a reliable air service to and from these islands as the most important link in our entire existence. Without a fast and efficient service we would be back to the days of the sailing ships, every part of Government's revenue is dependent upon the air services. In tourism alone over the last ten years this Government has spent millions of dollars to bring the tourists here. It has been suggested that we walk away from the airline business now and turn it over to another carrier, this would be foolish indeed, we would be throwing away the money that Government has invested in tourism. Government now has an opportunity to share in the results of the profit that has been built up and we should not hand this route over to any other carrier and throw away Government's millions of dollars of investment in tourism. On the other hand, without an air service there will be no tourism, without tourism there will be no jobs in the hotels, there will be no people in the cottages that are rented, there will be no need for taxi drivers and Government's revenue will fall as the economy stagnates.

We have a booming business already according to one of the world's leading magazines recently it now the best and the largest in the world. Without an air service which we control no businessman will come here, he wants to know that he can come today and leave again today if necessary, he does not want to spend valuable time waiting around for transportation. This island has been founded upon the money the first real money that came to this country was when National Milk Carriers started to take men from here, today Caymanians still go to sea and when a man is needed on a ship he is needed in a hurry, that is, when a ship arrives in New York and a new member is needed that new member must be flown immediately, that ship is not going to wait any longer, and so this other vital part of our economy would collapse without an air service. We have to go abroad for specialized medical treatment because the island is too small to support all the specialized treatment, and if a person is sick he wants to go today. Our children go abroad for education, they have to go at the opening of the term, they don't go on any and every day, this vital part of our existence requires air transportation. And if nothing else requires an air service our building would require it, thousands of pounds of flour, meat, fruits, vegetables and ice cream are brought in here weekly, it can only be brought by air.

I don't believe any responsible person in the Cayman Islands would want to go back thirty years ago when they had to wait months to hear from a loved one abroad. Caymanians are by nature a people that love to travel and an airline is a necessity. There are many things we could do without, the one thing in this modern age because we are an island, we cannot do without an airline. There were many reasons for the break with Cayma, there were many reasons leading up to the present motion before the House, a motion for the

HON. G. HALO BODDEN CONTINUING: acquisition of an aircraft; most of the reasons are beyond the control of the Members of Executive Council, most of the reasons are beyond the scope of the Board of Directors, most of the reasons are beyond the control of anybody in Cayman. The United States Government and the United Kingdom Government last year entered into a new bilateral agreement regarding the flying rights between the two countries and between the dependencies of the two countries. The main thought running throughout that bilateral agreement is that the United States Government has made it very clear that if the United Kingdom wants to fly into the United States from the British Caribbean Islands, their airline must be substantially owned and effectively controlled by either the United Kingdom Government or by the Nationals of the British Caribbean Islands.

During the discussions of that bilateral agreement the United States Government said that they had winked at this requirement in the past but the time had come and is now right that the United Kingdom Government, together with the Caribbean territories, must own and effectively control any aircraft or airline which runs into the United States. This was the reason why it was necessary for Government to acquire all of the shares in Cayman Airways. Laosa owned forty percent of Cayman Airways, the Cayman Islands Government owned the other sixty percent, but the United States Government made it clear that sixty percent was not considered a sufficiently large enough ownership for the purposes of flying into the United States. And so, this Government or Cayman Airways was forced to either give up our rights under that agreement or get a substantial ownership of the airline. This event was beyond the control of Cayman Airways. The Civil Aeronautics Board had refused Cayman Airways the right to run charters from and to the United States, because the airline was not substantially owned. The charter business is the lifeblood of any airline and if we are to participate in the profits that will accrue from a charter business we must have substantial ownership of the airline.

Another factor beyond the control of this Government was that the lease with Laosa was terminated by Laosa. Under the Lapsa agreement either party could give ninety days notice to terminate the lease; Laosa gave us that notice, Laosa said that they needed the aircraft to further their routes into Central and South America, and even if all the other services had continued with Laosa we would've lost the use of the 720 I 11. Another reason for looking around for an aircraft was that we had outgrown the aircraft in use. There is a need for a bigger aircraft on this route, every year the tourist industry has brought more people here, every year more Caymanians are themselves travelling abroad, so we are now faced with the construction of a one hundred million dollar terminal in Little Cayman, this alone is going to put over the next eighteen months a substantial strain on the airline because people will be coming for construction, supervision and to do business with the new terminal.

Also when the new bilateral agreement and in co-operation with the C.A.P. Cayman Airways has been given the right to fly into Houston, here again the 720 I-II nor the DC 9 could operate economically the Houston run. So if Cayman Airways is to take up this new run the aircraft lease from Laosa or the substitute from Air Florida would have to be discarded.

The Member in introducing this motion told of another reason why it was prudent for Cayman Airways to look around for other arrangements. The Costa Rican Government passed a Law which said that one could not fly as a pilot or as a cabin crew member on a Costa Rican aircraft if that person was not a Costa Rican. This would have meant that on the 31st of December, 1977 everyone of our pilots and everyone of our cabin crew members would have been put out of work; there was no way around it, it was a direct regulation of the Costa Rican Government and these people would have been out of work. In my opinion, there are three options open to Cayman Airways today, the first one is to shut down the airline. This appears to be the main factor put forward by the opponents to this loan, shut down the airline. In other words shut down the airline to no matter, let your country go to hell, let your economy go to pieces, let your people starve, forget your investment in tourism, close down your tax haven facilities; anyone who thinks that we should shut down the airline is striking a blow at the very heart of our existence, we cannot do that. The second option open is to continue to lease on a lease. For nine years

HON. G. HALD BODDEN (CONTINUED): on our service has been operated and its financial performance has been poor indeed. Any company that is not showing a profit at the end of nine years should be put into liquidation or should be so restructured that even if a profit is not made an attempt to make a profit is made, so we could continue to lease at a loss.

The third option is the option which I recommend, and when I say "recommend" I have been to many parts of this Island including Cayman Brac and have told the public that I believe the third option is the one that should be adopted, and that option is to purchase an aircraft and hope to turn it into a profitable situation. The economics of the purchase is such that the monthly payments on a purchase will work out to be less than the monthly payments we are now making for a lease, or less than the monthly payments we made for nine years for the lease. How can this be so? Well, in the case of a lease one commits himself to a short period, for six months, for a year, and the price is high. But, apart from the fixed price there is also a per flight hour price to be met, leasing is just like renting a car, when you rent a car you pay ten dollars a day plus mileage, when you lease an aircraft you pay so much per month plus so much per each hour flown and that is the reason why on a lease you cannot increase your profits by utilisation of the aircraft. The more you fly the more you pay. When the aircraft is purchased the more you run one of the better off you are, because your payments do not rise with your use, your payments are fixed, they are controlled and you know what you're doing. In leasing, your costs rise with your utilisation, and the other advantage of leasing is or the other disadvantage is what you get for it. You get a stock of rent receipts; when you buy you acquire an asset, and if an aircraft is purchased of the type that has been looked at at the end of the purchase period you will have an asset which will be worth a million, a million and a half dollars. So, in purchasing there are these distinct advantages, you are acquiring an asset, you are making less monthly payments and you are increasing your profits by more utilisation of the aircraft.

The loan that is requested today is 4.2 million US dollars, this figure is roughly three and a half million Cayman Dollars. This Government has had several loans in the past. I was a Member of this Assembly several years ago when the previous Government stood here and in a single day approved a loan for the dock, the administrative building, the roads, and I believe it is not an airport terminal. One Member is down in the Minutes as saying that also given ago an airport terminal would enhance the image of Cayman Airways. In fact with you permission, Sir, I would like to read from the Throne Speech delivered by Mr. Crook, a former Governor, in 1972. This was the period when prosperity had gone to the heads of certain people, and not only were they at that time approving a loan for a terminal building but they were thinking about relocating the airport, those are the words of Mr. Crook on Airport, 1972. "There is some feeling that we should relocate the airport, and no Government can fail to give weight to the comfort and convenience of those who are affected by aircraft noise". And he goes on to say, "Reconstruction of the terminal building however is a different matter. The present building has served us well but is nearing the end of its useful life, it is also something of a fire hazard and as may be expected we are fairly sensitive about this at present. We hope soon to formulate plans for its reconstruction". So, a loan in connection with the airport is not anything new to the people of the Cayman Islands. They were about to build a nice, shiny, four million dollars group and they didn't have a car to put in it.

I have to bring this in because some opposition is coming from people who even thought that this Government should borrow money to relocate the airport and to build a new terminal building as recently as 1972. And if God had not smiled mercifully on us we today would be building that terminal, because it was not necessary to go back to the Legislative Assembly to borrow the money, that loan was approved in 1972 by the Loan Capital Projects Law, a loan of four million dollars, and later on in 1975 these same people came back to this Assembly and amended that Law to increase that loan by another three million dollars. The loan was right here, so there is no question of whether you would have had a new terminal, there is no question of whether your airport would have been relocated, so what is the objection? The objection to this loan is against the man getting there, the Member for Tourism, the objection is not on economic grounds it is not even on political grounds, it is a personal vindictive

HON. G. HAIG BODDEN CONTINUING: objection.

In the Throne Speech it will be necessary or it will be possible for me to really go into this matter. I want to confine my thoughts to the borrowing of this loan. This loan is put before this Assembly at a good time, at a time when our current revenue is in the vicinity of fourteen million dollars. When the other loans were applied for and were granted, the revenue of this country was only a half of what it is today, but the greatest factor in this loan is that the loan is not sought for nor will it be made to Government. This loan will be made to Cayman Airways and Cayman Airways will be responsible for paying back the debt with interest. This Government will guarantee the loan and will only have contingent liability for its repayment, this Government will only pay back this loan if Cayman Airways is unable meet it. When the loan was sought for the roads and the administrative building Government had a real commitment to pay back out of the revenues of this country the loan for those projects. In fact this year on those two loan projects this Government will pay six hundred and thirty-five thousand dollars. But with the loan to Cayman Airways this Government is not asked to make the repayments, this Government is only asked to guarantee the loan, which simply means that the Government will only have to pay if Cayman Airways starts to carry her passengers free of cost or if Cayman Airways should start to bring in their freight free of cost.

So, we are dealing with two different things. In the case of other loans this Government has had real liability to dip in the pockets and make the payments month by month, here all Government is accepting is a contingent liability. And if this country progresses in the future as I expect it will under the present good leadership that it has Cayman Airways should be able to meet her debts. And if the worse came to the worse we have an aircraft which can be resold, this aircraft will be insured, if it should crash money will be there to buy another one or to pay off the debts on this one. If this country goes to pieces as apparently some people would hope, and people stop travelling by air, we have an aircraft which can be sold if we no longer have any use for it.

So, I believe that we have reached a stage where we are bound to take action. If in the past we leased an aircraft and if it is true that we paid a total of some thirteen million dollars for rentals, and if it is true that we did not own even one paper cup on the aircraft it certainly must be time for Government to sit down and take corrective action of a situation which was financially unsound. Now, I am not putting blame on the past Government, I believe they were quite correct in entering into a lease arrangement when they first got into the airline business, because they did not know what they were getting into, they did not know how much traffic they would have, but now that we know, we would not be responsible people if we did not take the action which the public expects us to take. There is a story going around that the Members from Bodden Town will soon hand in their resignation. I want to make it clear that I have been elected to serve until 1992 and I will do that unless I die or become disabled. The matter of taking action is justified, if we were here today asking for a loan because we wanted to have an aircraft on our own I would say, people should object. We are here today fighting for the survival and the improvement of the economy of the Cayman Islands: there is a tide in the affairs of men, which taken at the flood, leads to fortune, and I believe that we must take the current when it serves or lose our ventures.

I see this motion as a desirable one, because careful study has gone into the economics of this loan. It has been offered with a moratorium on the first year of repayment. During the first twelve months Cayman Airways will only pay the interest, and this action will give Cayman Airways an opportunity to get back on its feet from its present near-bankrupt position. I commend this motion to the House and would ask that Members support it.

MR. GEORGE C. SMITH: Mr. President, it is often said that it is better for someone to think that you're a fool than to open your mouth and confirm the fact that you're a fool. With that, Sir, I will make a very, very brief statement with regards to the affairs of C.A.L. Cayman Airways, as many persons should know, is a private company, the affairs of which should be left with the Members or the Board of Directors of any company. What I wish to say here, Sir, is that it is not known to me what went on in any - I should say, known in this context or complete context any thing that went on in any Board of Director's meeting being surrounded with C.A.L.

As a Member of this Assembly I was brought into the picture after the arrangements between C.A.L. and Lacsa had been terminated. I was brought in when it was found or we were told that Government would be seeking to purchase or lease an aircraft to take up where Lacsa's previous arrangements would be terminated and the cessation of the present Cayman Air Holdings Company. We were told or I should say, we were also shown figures to the effect that the arrangement with Lacsa was not very efficient. We were given a list of a number of legal reasons why the arrangement had been terminated. A short time after leaving Air Florida we were again brought into the picture, we were told that the lease agreement was not very economical, we were presented with three possible directions in which we should go, one direction was that we should liquidate the Company, the second alternative was, that we should continue to lease as a very high base, the third direction was, to purchase.

Mr. President, I do not think or feel that it is in the interest of the Cayman Islands for us as Members of this Assembly to even consider liquidating the company, C.A.L. It is possible that we could continue to lease, but as saying, with the agreement between Lacsa and C.A.L. after leasing for a period of nine years we continue to pay the lease and have nothing to show in return for it. The third possibility was that of purchasing an aircraft.

Mr. President, I have no alternative but to support this measure. I will caution here today that it is my firm opinion that we may have to subsidize this venture possibly for a year, two years, may be five years, may be the Company will never ever show a profit. But at the same time I feel that it is the most intelligent venture of the three things - should I say, the most intelligent direction to take of the three possible directions offered to us, and I think the public should be told and they should be prepared, that in the years to come we may have to subsidize.

There are two specific issues that bother me at this moment and I would appreciate if someone along the line would attempt to clear these points up for me, not only for me as a Member of this Assembly or a citizen of the Cayman Islands, but it is something that I feel the other people in this Island and citizens of this Island would be not at once to know. The one that has been said by present Members in this Assembly, by past Members of this Assembly, that this arrangements with C.A.L. and Lacsa cost Cayman Islands Government not a penny. I should venture, Sir, or it goes to reason that if operating over a period of nine years with no cost to Cayman Islands Government the Company must have shown a profit. Now, what I would like to ask, Sir, is if this Company showed a profit where is the money? And I ask this very strongly, Sir, because I was told when I was brought into this picture that there was no money in the till, and I think it is only fair to say that if the company made a profit somebody should be responsible to tell us or to tell the public where the money went. And it is also fair to say, that if the company did not show a profit it is very irresponsible for Members of this Assembly or past Members who we look at as being very responsible persons in our society, to go out on the street and make such statements.

One of the points that I think - I should say it's more or less a personal point, is that then I would have felt much better if we, or I should say, we on a political had not been brought in on this matter. I recall that Government, should I say, the past Government passed a Bill or a Law giving Executive Council the right to issue bonds, Treasury notes, if I recall in the neighbourhood of ten million dollars on the bonds and five million dollars on the Treasury notes. And as I've said, I would have felt a lot better if Executive Council had taken this course, issued bonds and guaranteed the loan and not brought us as politicians into it. However, Mr. President, since the present course has been taken I'll like to say or recap that of the three

MR. GILBERT C. SMITH (CONTINUED): possibilities offered to me for a decision I feel that the purchase of an aircraft is the most sensible one, and I do offer my support. I thank you.

MR. MILTON D. EWING: Mr. President, I too want to offer my support to this motion, because out of the three deals offered to us now I see where to my knowledge buying our plane is the sensible thing to do. If the airways can pay the lease as it carries now on the plane I don't see where with the potentials that we have and the uplift of our tourist industry, where Cayman Airways can't be able to pay for itself. I know that some people are saying that we should liquidate the company altogether, well, I can't see that, we came here and found it and I think that we should try to keep it, and I am supporting it all the way.

MR. JOHN B. MCLEAN: Mr. President, I too rise to support the motion before the House. I do feel as to one of the most sensible ones that has ever happened the airline history. I feel in the best interest of our people as an sensible legislature, should choose this road.

I am aware, Mr. President, that we are having some opposition on this, and like I stood in here and about my first speech I reminded Members that this was something that we could depend on until the next election in 1980, we know of it and we can prepare to live with it. And to many this, I would like to say that it is always the empty vessels that makes the most noise.

Mr. President, this is not the first that this Honourable House has opposed for issue, but it is the first that the people of these Islands has been informed of what is taking place in this House and this gives them reason, of course when I say, "them" I mean the opposers, to have something to talk about. This is no disgrace to me, I am proud to know that we as Legislature could take this matter to our people and give them a chance to view it. Those opposing it, again it is no surprise to me, I expected that and I can live with it. However, Mr. President, I was quite happy when I listened to your speech, the part on Cayman Airways, I am quite certain that has clarified a lot of the upset people, it has put things right in that area and I for one will stand by what I have said. I will support Cayman Airways because I feel it is highly necessary to have our airways.

Mr. President, the people continually criticizing Cayman Airways as do, I feel within myself if they had had shame they would not continue the way that they are going after being made liars so many times. We, as Legislature, were faced with a terrible problem with Lacsa when they withdrew, and in my way of thinking, Sir, there is only one way to handle a problem and that is to face it and we have chosen a very sensible way of handling this. Due to lack of time there were no alternatives but to settle for the Air Florida deal, and because of foresight we are prepared to go on further and to arrange for a better deal. In my way of thinking, Mr. President, it's never too late to do good and this is a very good thing that we are attempting to do, anyone with any sense or a business mind would settle for this deal. We continually hear from platforms I should say, of the 4.2 million being spent on the Cayman Airways deal, this is true but we never hear that this present Government has also gone into the deal with the old trans-shipment, which, in my way of thinking, gives us as more or less a substantial revenue which makes it impliedly different from the days when other loans were negotiated, and if I recall at one time or the other being about 37.5 percent of the revenue at that time. So, how is it that past Legislature of that present day Government did not see it possible to go to the public and to pay up whatever loss just to assist our people.

Mr. President .....

MR. PRESIDENT: I must point out to the Honourable Member that the use of the word "them" or "those" is unparliamentary, it is possible to say it in different terms.

MR. JOHN B. MCLEAN: I beg your pardon, Sir.

Mr. President, I am sorry if I have in anyway said something wrong, but when one knows that we are trying so hard to put something

MR. JOHN B. MCLEAN CONTINUING: right and there are so many to try and to upset it it really puts you in a position sometimes that you are about to really lose your temper.

I think this morning one Member mentioned that he would not like to go back thirty years ago, this is true and I agree with him, but in my humble way of thinking those people must still be thirty years back in their minds because if they were not I see them doing nothing else but to agree to what I consider a very important venture to the economy of this country.

Mr. President, as I have said, I agree with this motion and I do hope and trust all other Members will give it a special thought and will also give it their full support. Thank you.

MISS ANNIE Y. BODDEN: Mr. President, I intended to leave what I had to say until the last one before the winding up of this debate but being called a lion, Judas Iscariot and all the other terms that have been applied to me my Bodden blood does not allow me to sit still any longer. First and foremost I will remind all those who are supporting this motion, which of you will be prepared to expend four million dollars and don't know what the results will be? None them.

Mr. President, I have been associated with subsidised business by this Government before any other Member in the Cayman Islands, and when our good intelligent hardworking men of the past united to improve the service what did they do? The poorest of poor, the richest of the rich, got together and formed the Cayman Islands Shipping Company Limited which built, under the able management of the late Hazel Bodden, a Bodden of the highest order, the Cinboco, what did the Government do? They never put in one penny, not one cent but they promised if you provide this boat we will give you a subsidy and that subsidy was paid for twenty years. Firstly, at six hundred pounds a year, they stretched it to seven hundred and fifty, and finally in the war days, they paid them one hundred pounds per month. Mr. President, I was associated with that company from the building of the ship until the day she was sold to the Archbishop in Colombia. I was manager of that company from 1939 until 1946, so if I don't know about Government subsidising boats etc., I would like to know who knows?

Now, I will call myself John the Baptist, the lone voice crying in the wilderness, and I am very sure if the majority had their way I would be behind bars right. (MEMBERS LAUGHTER) - Let me tell you, Mr. President, if I weren't a brave, courageous woman I would not be in this Assembly, because from 1972 I have been tortured to death. I have been threatened, I have been called names, I have been told everything, my house has been broken into, my German shepherd dog which I had to protect myself has been killed, and as for threats over the telephone they are without number. The last one I heard said, "I am coming to smash up you face" and I said, "well, if you've smash you arse, and I have a million machetes in my bed which will be drove to the handle in you unless the right hand of Annie Eulah Bodden join". So, being threaten doesn't mean anything to me, being abused also, and as for being jealous of any member of the Cayman Islands they haven't got a thing that I want. The women have husbands, which if I had hustled around I could have got one - (MEMBERS LAUGHTER) - the time they were hustling to get husband and using good sense I was working for the Cayman Islands Government, most of it for nothing. When I am told I am anti-Government, when the old West Wind Building was being erected and the old Parson's residence destroyed there was a more much larger than that table full of passport forms, applications for passport forms which Annie Eulah Bodden had procured for not a cent, not a copper, a service to my country. And when I hear these me-goods talking about me, it makes my blood somersaults but not I promised God that I would control my temper in 1978 it would be nothing short of a riot in this George Town, now I've got that much blood, I have taken enough and I don't intend to take anymore. And if the Cayman Islands Government were paying one million dollars a minute for Legislature after 1980 with this present set-up Annie Eulah Bodden will sit down to Copper Harbour. I wouldn't even come George Town much less to this Assembly.

Now, Mr. President, I do not oppose an airline. I was one of the founders of Cayman Airways Limited, I had to fight Barkley Bush,

MRS ANNIE K. BODDEN CONTINUING: I had to fight Ira Nylon -(I have to call names unfortunately)- Warren Conolly was with me, your old Clifton Hunter, they said that the strain he lived under put him in his grave, so we didn't have anything easy to get an airline going. We had opposition on every corner, and those who are supporting today and talking about what I am doing against me, they were the ones that were against me when I was trying to get airservice established. We had experts come here and they gave us directions as to what we should do to get this airline going; to the best of my knowledge we deposited sixty thousand dollars twice to start our Government. Well, later on I understand that from the moneys earned etc. we might have put in three hundred thousand dollars and a few more, but all we were paying for was the service, we were not asking Government to give us no plane we were paying for the service and the monies we had.

Now it has been mentioned in this House that Government airlines were skimming this Government by. Questions have been asked, and that's why I so surprised today when I asked question of the question of this Cayman Airways limited to be told it is a private company when I know the Honourable Members on this side, including myself fought to ask, let us know what is happening in this Issue? And we were told as now, it's a private company you have no business in it, consequently I accepted it, and I want to let the people in the Gallery as well as those Honourable Members know that if Annie brought oranges to give away and bribe, Annie Bodden didn't get either one. I have worked here without remuneration, pleasure, and I've served the people of the Cayman Islands; I have been insulted, Court cases and everything but I didn't climb down and I'm not going to climb down now. I have been referred to as Judas Iscariot, well Judas Iscariot sold Christ for thirty pieces of silver, I haven't sold out anybody and I have a clear conscience, and one thing I can assure them, Annie Bodden is not going to hang herself, you can be sure about that.

Now, Mr. President, I feel today that there is a good deal to have an airline going, but my contention is this, that we have not got the funds to provide two planes because I am very positive one plane cannot carry on this operation. When Mr. Peter Wildcroft or whatever his name was, came here a week ago and their affairs were revealed, why was it put in the Compass "No plans agreed on yet" why were not the facts brought to this people and told the whole of the cannot truth? Why are all these untruths being told and then Annie Bodden not got the sense? If I haven't got sense then I would really like to see somebody that has.

Mr. President, I am not against the airlines I was one of the strong supporters but I want to see the thing carried out in a reasonable, sensible manner. And I am here today to defend Annie Eulidah Bodden, because I have been abused, I have been cursed, I have been everything just because I disagree with this. Now, Mr. President, this is not the first time I disagreed with other members or the past Government, that former Government, their name will go down in history as being the worse Government this country ever had, that the opinion that they have got for all the good that they have done. We campaigned and we promised the people of Grand Cayman that we would try to get roads, we would try to get buildings, we would try to get hospital, we would try to get that dock, and I agree that we passed laws enabling loans to be made, but I would like it to be understood that these projects were stretched over a period of time and we have been doing something to that for the monies that we have borrowed. I am not against anything for the advancement of the Cayman Islands Government but I am against folly, I am against people who are fighting each other just for prestige. I heard a remark here that it must be me, because I am the only opponent, who is fighting the Honourable mover of this resolution. Now, what has that mover of the resolution got that I would want that I would be jealous of, nothing, nothing, because his name I can't be jealous of, I am a double Bodden he is only half Bodden so I wouldn't be jealous of that - (LAUGHTER) - he has got a house, I've got a house, he has got land, I've got land, he has got money, I've got money, the only thing that he would have today that I would begrudge him or anybody else would be a family who lives in love and harmony like we in my home, that's all, but anything else, anything Annie Eulidah Bodden wants she can get including a husband if I wanted one - (LAUGHTER) because most men marry women for support and if I see a man that I want to marry I could support him if he didn't have a penny. Now, take that a million times. (LAUGHTER)

Now, coming back to this air business. Mr. President,

MISS ANNIE S. BODDEN CONTINUING: I hate things that are misinterpreted, when I know the efforts that I have put into this Government and to be told now I'm anti-Government. Which other woman or man in the Cayman Islands would leave their office for four days, go to the court in West Bay, fight a very prominent family and by my evidence reclaim one hundred and seventeen feet of beach land at a thousand dollars an acre and have all of those votes from that family in the last election, who would have done it except me? And I've done it because I am honest. About being anti-Government, I had a case in the Court House on the 2nd March where the Cayman Islands Government was trying to take away land from a client of mine who owes me eight hundred dollars for Court fees and my money paying his rent to other lawyers. I won the case, I could have gotten five hundred dollars cost from the Government, what did I tell His Lordship, the Judge, I don't want any cost from Government. It will be against Government, who else would do that kind of thing, a poor woman that has to support herself, I resent this and I am very much against this, and if I had the least intention in the world of changing my mind, which I have not, I would not support these people who are talking about us, I will not. So, that's it, and I know that I would be doing an injustice to this country when I venture out for the Government to guarantee a loan which will end in failure according to figures which have been submitted.

What I am alone about in this, knowing the stress that we have always put in trying to get these Cayman Airline figures and have been refused, they said by the other Government who was not honest, well, the same thing is happening now. So, I would like to warn the public when you put in this $.2 million, and as the Honourable Member from Cayman Brac said, it will have to be subsidized he is afraid or words to that effect, you won't know what is happening because according to this, Cayman Airways Limited although owned by Cayman Islands Government, operates as a company under the Companies (Control) Law, and being in a competitive business divulging its financial affairs may adversely affect its operations. So you will never know whether the plane wins or loses, I am very sure about that.

I was waiting to hear the report of seventy-five pages on what happened to Cayman Airways Limited, but I couldn't contain myself any longer when I know how I am being low-rated because I oppose the loan of this money without any guarantee, because it must be substantial. And while I say this in mind as reading, I fought for one nine years ago and I am still saying that the break with Cuba was caused because we the former Government had negotiated that loan. I wish it were possible for the Honourable Financial Secretary to get up and state the true facts of this Cuba deal, but I am afraid he would not be able to do that because of the matter has been terminated in the Supreme Council, which I do not know, I don't want to know, that according to former rulings he would be sworn to vote for it whether he agreed to it or not. And I do not want him in anyway to jeopardize his position because the guns are on him and one little move he makes he'll be gone, won't you agree about that. (MEMBERS LAUGHTER) .. I am here today to tell the truth and nothing but the truth if it takes 'till sunset. (LAUGHTER)- I must defend the people that I know are in the past and in the present and will in the future continue to be loyal to the Cayman Islands Government. What happened sixteen and a half years ago when we came in here? I told the then Administrator when he asked me if I would serve as a nominated Member, I said, Sir, under one hand, Mr. Haldane what is this? It is this, Sir, that if I shall be allowed to vote according to my conscience, he said, exactly what I want. Well, I have often remarked that he was very sorry that he had nominated me, because in many instances I had to go against the Government when I felt they were wrong, but when they are right - and my biggest enemy is here, which I'm now put at least four - (LAUGHTER) - use to say that something is right, and I believe it was right I would agree, why should I, for spite, destroy a whole Government such as we had?

Those who are so educated and know so much history know that the great Roman Empire fell from within. Well, all we need to do is to fail is to start this diamond which we now have, that's all that we need, just keep on doing that, keep on talking about Annie Bodden, keep on threatening her, keep on saying that I shouldn't associate with John Jefferson, Benson Ebanks, Barkley Bush and Warren Conolly, keeping on talking that and you'll soon have the people stirred up that anything can happen, but it won't be with Annie Bodden suddenly because I have never vowed that my blood was going to be shed for politics, not me, I am going to try to live to get another victory to make me a hundred.

MRS ANNIE H. BODDEN CONTINUING: And I hope that the Almighty will bless me with the same spirit that I have now.

Mr. President, I am surprised, I am shocked at the behaviour of this present news against me. I am surprised when they know how I have fought to try to keep this Government on a steady course, they think because I am a lone woman they can put it over me but I want to tell you they are really mistaken. I promised myself September coming will be seventeen years I was going to take care of Annie Huldah Bodden and I'm going to do it, not at the expense of other people though, at the expense of doing good for my fellow creatures.

Now, Mr. President, I want it known that I'm opposing this loan but not against Mr Bodden. I am opposing it on the fact that it is not a good venture, and I am challenging the people, the rich people to come out, form a company and buy an airplane to conduct a service like those Cayman Brac done. I am surprised that people should be scoffing at me. I was instrumental in having a petition signed, I was, I'm not ashamed of it, I'm not petition-crazy like they put in the newspaper. And since the Compass is controlled to such an extent that Letters cannot be published anymore according to the last issue, and they say, you must bring your complaints to the floor and I'm bringing mine here. But I am saying, Mr. President, that we are living in a democratic country and we should be allowed freedom of speech. Well, I don't say too much when I'm not angry, and I'm not angry now, just provoked to wrath. (LAUGHTER). I am really convinced that at least we have fourteen thousand people approximately, I am very convinced that at least ten thousand of those people do not want the Government to invest this money; they want an air service yes, they're not against Bodden but they feel that the people who are advocating / putting everything on Government that they should come forward. Why do all of these financiers, why we put up half a million or two thirds of a million and get this thing going, I myself might even put in a couple of hundred pounds to see that the thing is going, but everything is the Government.

Mr. President, lest I forget this, to tell you the traitors that are in endeavour unmasked - I asked a few questions yesterday and before I got home the mother of one of those children were at me, want to speak to Annie Huldah Bodden, I said I'm right here speaking, what can I do for you madam, but I said, before you open your mouth I am going to tell you what you want and I told her. She abused me as usual, but I told her that didn't matter to me and that that is my privilege to ask questions. And I would say, Sir, that the wrong person goes on the answer, and as for me helping out people who are underprivileged I have done that all of my life, nothing new to me and I have been rewarded by the Great God Almighty for my good deeds and I'm going to be rewarded for anything that I do, because I believe Him, in all thy ways acknowledge Him and He shall direct thy path. And I am being directed to stand up for the people of the Cayman Islands and I will not change my mind because I feel I will be doing a great injustice to go and note this money with such unanimity; while I went on airline, but I want somebody else besides the Government to have some venture into this land.

In 1972 election, I don't know if that was such a wonderful change, I know we fight present time Constitutional change was talked about and I preached / Constitutional change because I didn't want it. I preached that we had a good sound, stable Government and we should maintain it, and I tried all during the time to do everything that would promote this stability which we have, but you hear talking now as if all those old forefathers were nothing but mis-fits, they were not men at all. Would to God we had some of them today and we wouldn't be hobbouring things which we have no business to do.

Now, I'm not going to say too much more, I don't want to hurt anybody's feelings but I would like to say this, that I was told that I shouldn't associate with a certain man on the platform that their character do not lead that I shouldn't be associating with them. Well, I would say this, that in the past those men that I'm associating with wouldn't have been so bad because I know now of them were good enough to lend a man a suit to get married in to save him having to be married in his birthday suit. Now, I am saying, ladies and gentlemen, that's not a bad man and I'm associating and would associate with the biggest .....

HON. JAMES M. BODDEN: On a point of order, Mr. President, I hate to do this but I think that the Lady Member is getting a little bit out of order in what she is drawing at a Member of this House, Sir.

MISS ANNIE H. BODDEN: I didn't say a Member of this House, Sir. Did I say a Member of this House?

MR. PRESIDENT: I didn't understand, the Lady referred to somebody in the House.

MISS ANNIE H. BODDEN: Did I say anything about a Member in this House?

MR. PRESIDENT: I don't think so.

MISS ANNIE H. BODDEN: I'm sure I did not. Mr. Bodden would interrupt me if I was preaching over the Devil. (MEMBERS LAUGHTER)- If they can't get to talk about Desmond Seales, Mr. Lawrence, and now it's Annie Bodden and I resent it, and I was in this House before any of these present except the Honourable man from North Side and I had no trouble with anybody until 1976, and I'm going to stay here if the Lord keeps me in my health and strength, anytime the Government do right I'll support them to the hilt, if it takes money out of the few dollars I have I will help but I will not be bossed. I will not be trampled, I will stand up on my dignity ordinance, because I don't know who else they can degrade their character but not Annie Welch Bodden. They can say one thing about me, I was sick for nine years not a soul except the Honourable Rudy Hutlar, Dr. Muir, Johnstone Nixon helped get out of my difficulties, so I owe no obligation to anybody, God took me out and I am not going to make them trample on.

Well, that is enough personal, Sir. And I'll repeat, I am against the Government loaning this money without guarantees and challenge those who want it to put in the money and I will help them. Thank you.

CAPT. KEITH D. TIBBETTS: Mr. President, I have to stand here today to speak on this motion. I believe that this is the first time in my many years as a representative of the people of Cayman Brac that an issue of this type has come up, money had been borrowed on many occasions and very large sums of which Cayman Brac had got very little benefit of. But still through the various statements made in the papers the people in Cayman Brac became disturbed over this situation when our Government are called upon, not to borrow money but to be a collateral for a loan for Cayman Airways, therefore I had meetings in Cayman Brac in the past weeks to tell the people what I know of the situation. At my first meeting I left there somewhat disturbed because I could not put the support I felt that I should have had from the people, they were listening or paying attention or believing in the letters that were published. I left the meeting with just a small amount of support that I could support the Government to stand responsible for this loan.

The next meeting was somewhat better, a few more people understood, but I don't know why - this is one occasion when I couldn't see the people of Cayman Brac ever stopping to think that the letters that were published was not accurate. Nevertheless, by the third meeting - three nights in succession - by the third meeting my support was very very well organized, and if I hadn't met last week Wednesday I would not have been able to support this motion or be in harmony with my people. It went on until last Wednesday night when the Honourable Members from George Town come over to Cayman Brac and they had a meeting with the public, and I believe I am safe in saying that they had almost a unanimous support for this scheme. Therefore I stand here today to support it.

I would like to draw Members' mind back a little bit. All through the years we have been fighting just like what the Honourable Member from George Town said a while ago for communications. I am old enough to remember the boat that she referred to as the Otrabec when it was built and was brought into service, that was our first main regular communication with the outside world, before that it was sailing vessels a very very haphazard means of communication. We went on and we went on and we kept getting bigger and better communications, the day it came when the airplane arrived into these Islands, and we in Cayman Brac was surprised at first with a five passenger plane command to Grand Cayman - I believe I'm safe in saying, forty four passengers. Well,

CAPT. KEITH F. TIBBETTS CONTINUING: they found out that that wasn't good enough they had to get something bigger, they had to get something faster, so more on and they got into planes that carried a hundred people here in Grand Cayman and ours in Cayman Brac carried up to twenty-eight, so we've gone on through the years like this, and this is the source of development, and communication and development must go together, we cannot expect to develop if we don't have communications.

I will recall the first time that I spoke public, was when I was first elected to the old Assembly of Justices and Vestry in 1940, and the first time I spoke I asked for a road to be built on the south coast in Cayman Brac. Some of the older members assembled for it and the only thing that kept me going that day was our Commissioner at that time who he answered back, he more or less chided the older members for not supporting that. He told them that he wanted the people to realise that communication is what is going to make the Cayman Islands, without communications he said, you will never ever progress, and this road is the first round of communications. We have gotten to the stage of air communications where we must support it. I am not in favour of the Government being in private enterprise but until such time as our communications are properly organised and assured I don't see any choice but for the Government to be involved in the control of the airline service for communications.

I would like to mention a few other points. In the past we were leasing planes, this is identical to a tourist coming to the Cayman Islands and hiring a car, they will hire that car may be for a day, may be for five days, may be for a week or may be for a month and they'll pay X dollars per day for the car, they'll pay for insurance, they'll pay for the gas or the mileage as the case may be, when they leave they leave the car behind and all they have may be did the receipts for their money, that's the same situation that we have been faced with. We have been paying the lease on a plane, we pay the services, it is the identical thing as the tourist got from the car, but when it finished up we had nothing else to show. It is the same as you rent a house, it goes on like that. Now, that the day and age has come when we feel like we should secure our own plane where our Government will have the control over it. I know from business that a plane will be like a truck or a bus, it has to be utilised to pay, you cannot let it fly two hours or four hours for a day and put it down and expect it to pay, it's the same as if you have a bus, if that bus only makes one trip per day it cannot pay or the rates would have to be so exorbitant that no one could afford to use it.

So, I am saying, Sir, that if we are purchasing this plane which I agree to, that we should invest in utilisation. I know that we have been given the privilege of picking the new State Aviation Team, which should put a lot more utilisation in the plane, but then again there are other routes that we can explore, why don't we explore them? For instance, Lacsa airline has been enjoying the privilege of flying in and out of the Cayman Islands for more than twenty-five years or about twenty-five years, why can't we explore the possibilities of Cayman Airways plane flying into Costa Rica? There are other countries, Panama, Nicaragua, Venezuela, Colombia, that we could apply to, but I feel like Costa Rica should be the nearest and the simplest place as we should have reciprocal rights to fly into the country as they have been flying into our country. Sir, with all that has been said here this morning I don't think I should go on too much further, and I can say this, that I, in agreement with my people, I am prepared to support this motion and I'm looking forward for the day when we can march back in this House, may be within a year and feel that we have taken the right step to purchase our own plane and have it fully controlled under the Government of the Cayman Islands which I am very proud of. Thank you.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2:30 P.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed, we resume debate on Motion No. 3 on the Order paper.

MR. KENNETH A. SMITH: Mr. President, the motion before this Honourable House this evening is a sound one so I do not propose to stand here and waste too much time of this House. I will make my debate as brief as possible. Cayman Airways had no other alternative under Bermuda/United Kingdom/ United States of America bilateral air agreement than to obtain control of the company or will on in the future purchase of an aircraft. Purchase of an aircraft by Cayman Air Holdings does not constitute any charge against this country's general revenue, as the debt by Cayman Air Holdings should be self liquidating through income derived by Cayman Airways. Purchase of a plane, as far as the payments on the plane, will be less per month than the amount paid for the lease of the plane at present. In addition the Company builds equity, and as most planes show a slow depreciation further equity is built into the plane every time a payment is made and instead of having a bundle of rent receipts we will eventually own our own plane.

Mr. President, larger loans than this have been made by Government when it was not in a sound financial picture as it is now, and these loans had to be paid from general revenues. A plane ten years old in aviation circles, properly maintained is considered to be nearly a new plane. The DC 3 owned by Lassa and operated many years on the Cayman Brac run was nearly forty years old. Passenger traffic particularly in the Miami/Grand Cayman route has increased tremendously and Lassa and Southern are benefiting tremendously by the ground work done by Cayman Airways, and now they can accommodate eighty passengers one way/and have by Lassa when they just bring a small amount from Costa Rica.

Mr. President, the shutting down of Cayman Airways would mean at least fifty families would have no income, because even if another airline came in here our nationals would only be able to take a few of the jobs. Shutting down Cayman Airways would affect the hotels, taximen, boatmen, u-drive operators, beauty parlours, freeport shops, liquor stores, super markets; in fact in every segment of the business sector.

Mr. President, I support the buying of a plane and the full ownership of Cayman Airways by the Government of this Country. Lassa did no fortune for this country that they were not paid for, we should all be proud, Mr. President, to know we have progressed to the point that with all of our other commitments we now can run our airline. I have the faith Sir, that Cayman Airways in the future can be a profitable venture. I thank you very much, Mr. President.

MRS. ESTHERLEEN L. EBANKS: Mr. President, I support the motion brought to this House. We have no other alternative at this stage, Sir, we came into the House, we have inherited something and we must face up to it. I feel that it is important that we maintain our services in our country. Much has been said of, why don't we allow another airline to come in and do this service? I feel that if it is profitable for another airline to come in and to do service then why can it not be profitable to our own Government? Many might say that we cannot afford it, well, I'll take them back to the time when the Government was in a much worse state than it is in today and they thought that it couldn't afforded much more things. I'll take them back to the time when Commander Rutherford many years ago was paid eight thousand pounds to help him defray his loss. We are only doing what those responsible legislators did in the past.

The Third Elected Member from George Town in many of her speeches in the past and, with you permission Sir, I'll refer to them - said that she would support Cayman Airways Limited as long as she was in the House. Well, it appears to us now that this is more of a political issue than anything else. Why is she not supporting this issue now? Is it because of the present Members in the House, what is the problem? She has also, Sir, likened herself as to John the Baptist who died a martyr's death for the belief he had in Jesus, to me this is boring, bordering on blasphemy. She has never been a martyr for this country and she is not now, she is only misleading the people now for her own edification as she cannot justify her .....

MR. SPEAKER: I think that's imputing a motive which is not permitted by Standing Orders.

MRS. ESTHERLEEN L. EBANKS: I withdraw it, Sir.

MISS ANNIE E. BODDEN: You see what I'm getting by serving the people.

MRS. ESTHERLEEN L. FRANKS: I feel, Sir, that she cannot justify her stand though on political or economic grounds.

As I look back over things the Third Elected Member has said, I recall one remark she made not very long ago in 1975, she said, she had been at the Airport, had seen Southern, how efficiently they had run their operations and she had decided that she would fly Southern Airways and not Cayman Airways Limited. But shortly after she had made the statement she heard the roar of the engine again approaching the airport and when she looked it was Southern, when they landed she found out the problem was, that the doors were not closed and she decided that Southern were more efficient and would do a better job, so she had changed her mind and decided to fly none other than Cayman Airways Limited if she flew at all. The question which arises in my mind today, what has happened to those Caymanians who ran such an efficient service at that time, are they not also able to do so now? Where has the confidence gone? And this I feel is only political.

We have no other alternative but to buy an airline to service our country. If Eastern or any other airline can come in and the business is profitable to them then why can it not be profitable to the Government of this Island? We also have a past member of Government who has on many occasions in this House stood and defended the cause of Cayman Airways Limited. On many occasions he said, this is one quotation from the Records of the Legislative Assembly - he said, I would hope in the future that matters such as this would be dealt with behind closed doors, because the success of Cayman Airways, as far as I am concerned, if it was to fail it would be a terrible blow to the prestige of this Government and the services to which this organization tries to provide. I feel that at this time we must continue with this service, none of us even in our private business know when we enter into a business whether it will profitable or not, most businesses that we go into we hope that we can make a living of it. But we therefore not be afraid now at this stage to enter into this agreement of purchasing an airline to serve this country, I feel we should not be afraid.

Many things come back to my mind, this morning I sat and listened to the Third Elected Member for George Town said, that she has not been treated in this manner before, she had been treated good up until 1976. Well, I would like to remind her of words she had spoken quite recently in this House since 1976, she said that the first time she had been respected or shown so much respect in the House was since the new House had been elected. I would like to add, Sir, that at this time I support the motion and it is with my hope that we continue this our service which I feel will benefit our economy and will help this Island to progress. The only thing I'd like to say is, that we must have an efficient air service, we must provide a reliable, dependable one because sometime you'll hear him of complaints about going to the airport and not getting out, this must be looked into. And I'd ask the Member responsible that serious steps would be taken that when we get a new airline that we would have something dependable, reliable - that business coming here on vacations, they have booked and made reservations and hope to be back to their country on a certain day, that we would provide that reliable, dependable service that they can back on planned. Thank you, Sir.

MISS ANNIE E. BODDEN: Mr. President, I do not like to be controversial but quotations made there are not correct, Sir, and I when whoever found that Hansard to give to Miss Esther in mind had really got the facts. Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, an optimist sees an opportunity in every calamity and a pessimist sees a calamity in every opportunity, Sir Winston Churchill said those words some years ago. Obviously the progress of the world depends on the optimists, the pessimist is a parasite who thrives on the faults opinions which he executes, well, undoubtedly Mr. President, we have had our share of pessimist in this country. I believe that within every country, within every entity or organization it is vital that there is a control of the ingredients that make up the economy of that country or that entity. This country's economy is directly dependent and it is dependent to a very large extent on good communications, and it is, Mr. President, I think the most vital part of the

HON. TRUMAN M. BODDEN CONTINUING: economy. Dependent upon this are tourism, the financial centre, oil, employment in relation to banks, hotels, stores, taxis, seamen, the mail service and food supplies. We have seen in the past with BWIA, and subsequently with Lacsa that we live in a world where accommodation, everything to entitlement, or at least substantially all to entities, and it would be stupid at this stage for us to think that an airline would be prepared if it were legally possible, that is, to come into this country and to operate if the air routes were not economical.

Along with this, Sir, the withdrawal would be at a time when the economy of the country would not be at its best, and this would undoubtedly inflame the then problems of the economy. I believe that it would be foolhardy [illegible] on an attempt to save a cent to lose a dollar. In an attempt to perhaps save a few hundred thousand dollars we are ultimately jeopardizing the whole economy, and thus some fourteen or fifteen million dollars.

Mr. President, before I go too far into that I would like to state clearly, that I have no doubt in my mind that it is the view of the Honourable Members and of the people of these Islands that we move towards purchasing a jet. Unfortunately, I have had to go into this because I do not believe that I can leave unchallenged what the Third Elected Member for George Town stated in relation to the petition. I have been known, Mr. President, for not taking up minor challenges, but it is very important that this be dealt with. The Lady Member stated that she felt that ten thousand people in this country would support not purchasing an airline. She has partly spearheaded a petition which culminated in fourteen hundred signatures, and I would like to stress, it was not in the usual form of a petition in which the names and the addresses and occupation of persons are normally on it so that one can identify them.

Now, this was a direct request from the people as to what the people wished, and that petition, Mr. President, has failed. I feel that as a representative of my people my duty is to represent, and if I go back to the people and I ask their views, and the views which they hold are in conflict with my views then, Mr. President, I would be failing in my duty if I did not vote in accordance with the views of the electorate. Unfortunately, the statement made by ten thousand people is not justifiable, and unfortunately a dilemma has now arisen in which the people have spoken, and it is in direct conflict with the purported views of the Lady Member. It will be up to her to vote ultimately on this, either for the people as they have spoken or for her personal views and her personal pride. I sorry to have to go into that, but it is a very important point, because the petition, Mr. President, has failed and it has failed miserably and the people have spoken, and I feel it would be my duty to carry out the wishes of my people.

Now, Mr. President, if, as I have stated to the people, Cayman Airways puts the economy of these Islands in jeopardy, then I will be the first one to go to the public, I will talk them and I will take the necessary and appropriate action to rectify it, and I'll reconfirm that undertaking to them. At this stage the economy of this country is far better than it has been for many years. What I find as unfounded, Mr. President, is any attempt at this stage to have a rejection of this motion on wrongful grounds. I would take this Assembly back to Law 3 of 1973 which was passed, and I believe that it was passed as I know it was passed with the support of persons who subsequently at least at this stage have objected , and in the Schedule of that, Mr. President, the loan of five million was voted for the construction and equipment of the Administrative headquarters of the Government at George Town; secondly, the improvement and equipment of the Terminal Building at Owen Roberts Airport, George Town; third construction and improvement of highways in the Cayman Islands; fourth, the construction and improvement of harbour facilities in the Cayman Islands. It is very interesting, Mr. President, that at that time the estimated local revenue was four million eight hundred and sixty-six thousand seven hundred and seventeen dollars. Now, if you divide that into five million, then, Mr. President, this little bit of paper was a loan for one hundred and ten point seven percent of the country's revenue for that year. So, the question of, at least theoretically bankrupting the country, Mr. President, was unfortunately very blurry at that stage. The loan at this stage is only a small percentage compared to what was passed at that time, and it is interesting that was in relation to the terminal building. The subsequent history of this, is that very

HON. TRUMAN M. BODDEN CONTINUING: of the projects have nearly trebled in cost since that time.

I would like to state what you have stated in your Throne Speech, that there is no intention at all to impose any land tax, and that is very clear. The bilateral agreement between the United Kingdom, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America, incidentally our amendment makes it very clear in article three that it is an integral part of this agreement, it is a condition of that agreement that substantial ownership and effective control of the airline is vested in the contracting party designating the airline or the nationals. It must also comply with certain maintenance standards. Article five of that agreement, Mr. President, makes it clear what will happen if we do not comply with it. It says, that each contracting party shall have the right to revoke, suspend, limit or impose conditions on the operating authorizations or technical permission to an airline designated by the other contracting party where a substantial ownership and effective control of that airline are not vested in the contracting party designating the airline or any nationals of such contracting party. That, Mr. President, I think, or I know legally puts this Government in a position where if we must continue with the air rights under that agreement which is bilateral, then it must comply with it.

The decisions before us with this airline were possibly three, but I would confine mine to two. The first one was to close down the airline, and that, Mr. President, would be a national disaster in my view, and it would be one which would erode the economy of these Islands and perhaps put it in a position where recovery would be an impossible factor. In any event it is not the wishes of the people that the airline be closed, and I abide by their wishes. Secondly, Mr. President, the only other course before us in the pursuit of an airstrip. As I have stated, we have made a lease with Lacsa, we made it with Air Florida and at this stage the way out of purchasing a jet with the rope - and I believe on economic grounds that we can ultimately make a profit with this airline and preserve the vital inevitableness of our economy that communications represents, then I believe that this is a proper course. From the economic point of view the payment of some thirteen million dollars, and the result of those rentals culminating in no assets and ultimately no air services, I believe is a very positive economic factor to point that we should not continue in that direction. There will be adequate back-up and adequate maintenance service by a very large reputable airline in the United States.

I think, I think that it is the duty of this Government and of myself and the people to make a decision, because any indecisions or hesitancy will perhaps end in tragedy. I think as far as the airline goes, I see this as an opportunity, and I am an optimist, Mr. President, if I wasn't I would not have perhaps been in this House today, and we have to hope that with the help of the Lord and with the help of the people and with the hope that we will move on now with this decision, I believe that that it is a right one, I have thought about it for a long time and I believe that in supporting this motion, Mr. President, that I am doing what is good for this country and what is right for our people, and as my conscience dictates. I thank you.

MR. PRESIDENT: Are there any other speakers? I'll ask the Honourable mover if he wishes to reply?

HON. JAMES M. BODDEN. Mr. President, I have but little to reply to really, because the only voice of dissent that has been raised, I'm sure by this time that - him had a change of heart and by the time the vote is taken that she will cast a positive vote. (MISS ANNIE H. BODDEN:- Never.)

Mr. President, I would like to make it plain that the manner in which it is proposed to repay this loan is from the income which is derived from the use of the plane. I have made a few notes here this morning because I'm really not in good form today for talking. I intend to do that next week, God's willing, but we have heard that this plane is costing us much and that in the past it cost us nothing. I would like to read out a few figures here this evening to try to dispel this. I am going to give a few months of payments that we made to Lacsa. In July of 1976 for the use of the plane we

HON. JAMES M. RUSSELL (Continued): paid Lacsa three hundred and three thousand eight hundred and four dollars and thirty-five cents CI. In August of 1977, for instance, we paid them a hundred and sixty-two thousand five hundred and seventy-nine dollars and ninety-four cents; October and November of 1977 we paid them three hundred and thirty-five thousand seven hundred and sixty-nine dollars CI. From May of 1976 to February of 1977 we paid Lacsa one million five hundred and forty-eight thousand six hundred and sixty dollars and forty-four cents. We've heard that there have been no losses, I'm just going to deal with a few of them.

In September of 1975 Cayman Airways lost a hundred and fifteen thousand nine hundred and seven dollars and nine cents for that month; October of 1975 it lost fifty-eight thousand eight hundred and seventy-three dollars CI; November of 1975, forty thousand one hundred and ninety-three dollars and forty-three cents. I am going at this point to touch on the amount of money that has been paid for the rentals of the planes or the plane that we had. This company started in 1968, there was a previous company I understand before that, Cayman Brac Airways, I think was the name of it. I have no figures available for 1965, 1969, 1970 and 1971 at this point, but in 1972 we paid Lacsa for the rental of the Jet six hundred and fourteen thousand eight hundred and twenty-five dollars. In 1973 we paid them one million four hundred and two thousand eight hundred and ninety-three dollars, in 1974 we paid them two million two hundred and fifty-two thousand two hundred and seventy-two dollars, all of these figures are C.I. In 1975 we paid them two million four hundred and sixty three thousand nine hundred and seventy-six dollars. In 1976 we paid them one million eight hundred and ninety-eight thousand eight hundred and ninety-four dollars. In 1977 we paid them one million nine hundred and nineteen thousand and seventy-four dollars until the end of the month of September. For October and November we paid them three hundred and thirty-five thousand seven hundred and sixty-six dollars, that makes the grand total, Mr. President, of ten million eight hundred and eighty-seven thousand six hundred and fifty C.I. dollars over the period of seventy four months or an average per month of a hundred and forty-seven thousand one hundred and thirty dollars.

Now, in addition to this, Sir, we paid them several additional millions of dollars for insurance, personnel, management, professional and technical fees, accounting and so forth. For instance, Sir, the aircraft in traffic servicing from May of 1976 to September of 1979 was three hundred and thirty-seven thousand three hundred and sixteen dollars. Direct maintenance during that period was eighty-seven thousand three hundred and eighty-four dollars and twelve cents, so it is foolish for anyone to say that we got a service that didn't mean we lost money. In the seventy-four months that I have just related here we paid to Lacsa for the use of the plane, for the up-keep of the plane, for the operation of the plane in the neighbourhood of fourteen million dollars, if that is not paying for a service then, what is paying for it? Then when we terminated in December and they left they didn't even hand us a seat buckle, Sir.

Now, I'm not going to try to tell the House here today that this business is going to make a lot of money, because I would be deluding you, we are in for a pretty hard time ahead, it's going to be like Winston Churchill said, some blood, sweat and tears, but I'm confident that we can pull it through and I'm confident that we can come out of this at least owning the airplane without having to spend anymore money.

I am going to touch on a couple of other loans that I'm sure the Member can not quarrel of, and that is this:- In 1975 Cayman Airways had an operating loss of three hundred and sixty-five thousand four hundred and twenty-nine dollars. In 1974, for instance, there was an item on our balance sheet showing a foreign exchange loss of a hundred and seven thousand four hundred and fifty-two dollars, Cayman Islands. Now, that's a lot of money, Sir, to be entered in a balance sheet for one year on loss of foreign exchange. People have said that this plane operated and was never in debt as long as Lacsa had it, let me give you the figures on this. At the end of the 1975 Calendar year Cayman Airways Limited was in debt two hundred and eighty-five thousand eight hundred and twenty-eight dollars. In 1973, eight hundred and sixty-three thousand nine hundred and ninety-two dollars. In 1974, one million one and thirty-six thousand and forty-five dollars. In 1975, one million and seventy three thousand nine hundred and fifty-four dollars. In 1976, one million one

HON. JAMES M. MORGAN (CONTINUING): hundred and ninety-seven thousand one hundred and forty dollars. In 1977, eight hundred and thirty-five thousand nine hundred and thirty-eight dollars. So, it is ridiculous for anyone to make statements of this nature, Sir, and to know around the problems that have been caused in this country in the last few months and to have given us the adverse publicity which has gone abroad, this is a shame. Because, in March of last year there was a figure owing to Lacsa of four hundred and ninety-four thousand five hundred and thirty dollars and ninety-one cents. August the 1st owing to Lacsa was two hundred and sixty-eight thousand six hundred and fifty-one dollars and one cents. December the 1st owing to Lacsa was four hundred and twenty-nine thousand and three dollars.

Now, to get to a little bit brighter picture of it, Sir, people have said that under the new operation people would not have faith in us to travel with us and they would continue to travel with Southern and Lacsa and the Cayman Airways plane would go empty. Well, that is not so, because in comparison we carried nine thousand nine hundred and five passengers; January, six thousand eight hundred and thirty-eight; February, five thousand two hundred and fifty-one, and in March, the figure that it has just been given, nine thousand and forty-eight. For the month of March on the Miami/Grand Cayman sector we are showing thirty point three percent increase over 1977, for a load factor of eighty-three point five nine percent. For the Month of March, Grand Cayman/Miami we are showing a load factor increase of eighteen point five percent over last year, with a load factor of ninety point seven-seven percent. Grand Cayman/Kingston, twenty-two point seventeen percent, a load factor of seventy-three point four nine. Kingston/Grand Cayman, an increase of one point two nine, a load factor of seventy-seven point one one, or an average increase in the month of March over the month of March of 1977 of nineteen point three one percent, with an average load factor of eighty-one point four percent. Now, this is utilizing the plane as much nearly as it can be utilized, and this is where the problem lies, Sir, and this is where these people have been fit to go around the country-side buying like jackasses, because they did not know, they did not want to know, and it was affecting something very dear to them, and that is Lacsa.

We are suffering, Sir, under the present conditions because the plane that we have, it's no secret, it can only carry eighty-three passengers and we have the traffic out of this Island today, and if we get a bigger aeroplane those people are going to fly Cayman Airways, and if they fly Cayman Airways it's going to mean that our good friend Lacsa is going to lose the fifty, sixty, and even at one day eighty-one passengers that they have had to take out from here. They tried to run a bluff, Sir, they didn't want to lose this run anymore than we wanted to to an extent, because they have been coming in from Costa Rica with one passenger and picking up eighty-one from here, and that's what's making it viable, and these people know that the day we get a bigger plane what is going to happen is, Lacsa is going to lose that, and they're going to lose it, Sir.

They have said the plane has literally cost the Cayman Islands Government no money, well, including the money that we had to pay Lacsa at the winding up of this it cost the Cayman Islands Government nearly eight hundred thousand dollars, so don't tell me that we've got it for free, we didn't get one thing for free. It is true, Mr. President, that to make this viable we've got to utilize the aircraft more, we've got to open up other routes, and we have another one that is open up which is the Honduras/Grand Cayman run. Now, we could not have gotten that run before under the old working deal that we had with Lacsa, and Mr. Godfrey here, Fifth Elected Member of George Town dealt with it while ago, I will further deal with it in a few minutes, Sir. On the cargo side of the operation of Cayman Airways we have had a few months in the past where we've been losing over twenty thousand dollars a month on just the cargo operation; the month of January we carried three hundred and forty thousand pounds of cargo, that has been re-vitalized, it has been changed around, and in the month of March we lost just a little over two thousand dollars on that operation. We brought nearly five hundred thousand pounds of cargo. It's a viable deal, Sir, but it's going to take time, it's going to take effort, it's going to take a lot of people working together. There are plenty of problems, that we have, we're not going to complete the problems and put them in a little bag with a string around them when we leave this Assembly

HON. JAMES M. BODDEN CONTINUING: building this evening by voting this money. We have a lot of work ahead, but I am quite confident, Sir, that if we can stop some of the foolish arguments, if we can allow the inability of some people to comprehend what's going on, and if we can get co-operation, and I'm talking at this time, Sir, of co-operation in the staff of Cayman Airways. We have a lot of loyal people working there, but it's like anything else, even like the Assembly, we do have some dudsec. And I am prepared to tell this Assembly this evening, Sir, that once this plane is bought, and once we have expended a little to put this thing together in the business-like way that it should, then I'm going to use an old sea-going phrase to them, "it'll be mine then, Sir, for you to sleep up on ship call".

Under the Bermuda 2 agreements which was signed between the United States and the United Kingdom, it's known as Treaty No.71 on the English records; Treaty No.76 of 1977 was presented to the United Kingdom Parliament in November of 1977 and article 2 of that plainly states, "that under the terms of article three of this agreement it is the intention of the Government of the United Kingdom to designate in the first instance the following Caribbean based United Kingdom airlines per service on United Kingdom routes viz: British Airtours, Air BVI, Cayman Airlines, Delisa Airways, and the Government of the United States will use it's best efforts to ensure that the necessary operating authorizations are issued on the minimum precedent:- (a) Substantial ownership and effective control of such airlines continue to include at least as great an element of United Kingdom ownership and control as existed when operating authorizations were last issued to these airlines. And (b) Significant financial interest or control in such airlines is not exercised by United States Nationals or by Nationals or Governments of major developed States by airlines of third countries. And (c) Such airlines demonstrate to the United States aeronautical authorities that they are taking significant steps towards greater ownership and control by United Kingdom Nationals.

Mr. President, that should at least dispel the foolish arguments that we should shut down and let another airline come in and make our people go to work for it. That will prove that it's not that easy, that will prove that we have to have our own airlines. And, Mr. President, I am one that has great pride in knowing that Cayman Islands has gotten to the point where it can have its own national airline, its own national identity and it can be carried abroad. What better way to carry it abroad, than on a nice plane, although I don't like to fly on them. There has been significant savings in regards to the operations into Cayman Brac; Cayman Brac operation now costing Cayman Airways an average of eight thousand dollars a month to keep it in operation. Since we have made the change, and we have made the deal with Trans-Island Airways it has turned the corner and now Cayman Airways is probably making somewhere between a thousand and fifteen hundred dollars a month in profit on that sector. So, everything has not been bad, we have grumbled on the problem, we have changed two things on it, we made a decision British Air Florida, and I for one will accept that blame because, admittedly it was my decision, I'm the Member in charge, but there was no other alternative, it was either that or not have an airline. And I was determined then and I am determined now to see that instead of this country ever going backwards that it will forward, and the only way for it to go forward is to continue doing the things that we have been doing in the past. I have a lot of great faith in this country, I have a great faith in the people, I have so much faith in them, Mr. President, that - I'm not saying that we'll use this plane that we're going to buy to do this, but I believe there is nothing in life nearly that a Caymanian has not done up until this point; the only things remains for him to do is to make a trip to the moon and by 1990 I'm predicting some Caymanian will be there. So, that's nothing, at this point I'm hearing the other call, Mr. President, and I'm sure that the only dissident will at this point change their mind. Thank you, Sir.

MR. PRESIDENT: The question is:-

WHEREAS it is expedient for Cayman Air Holdings, Ltd. to acquire a jet aircraft for making available to Cayman Airways, Ltd. to ensure the continuity, development and progress of the national airline and for the conversion of the air rights under the United Kingdom/United States Bilateral Air Routes Agreement

MR. PRESIDENT CONTINUING:

BE IT RESOLVED that

(a) the Government of the Cayman Islands guarantee the raising of up to US$4.2 million or the equivalent in another currency whether by mortgage, bonds or other appropriate means by Cayman Air Holdings, Ltd. for the purpose of and incidental to the purchasing or lease/purchasing of a jet aircraft which it can make available to Cayman Airways, Ltd.; and

(b) that the Governor be empowered to execute any documents necessary for the purposes of such guarantee.

I'll put the question on the motion.

QUESTION PUT: AGREED, MISS ANNIE H. BODDEN NO. THE MOTION WAS PASSED.

GOVERNMENT MOTION NO.4 - STRUCK OFF COMPANY

HON. V.G. JOHNSON: Mr. President, I formally move Government Motion No.4 which reads:-

WHEREAS on the 5th December, 1977 International Bloodstock Limited, a company incorporated in the Cayman Islands on the 20th November, 1970, was struck off the Register of Companies for a breach of the provisions of the Companies Law relating to payment of annual fees.

AND WHEREAS it has been reported that there are certain assets in existence in the name of International Bloodstock Limited in the form of horses and that creditors of the struck off company are now claiming a lien over the assets in respect of unpaid fees relating to their training, keep and other expenses.

AND WHEREAS under the provisions of Section 176 of the Companies Law, any property vested in or belonging to any company struck off the Register shall vest in the Financial Secretary of the Islands for the benefit of the Islands, and shall be subject to the disposition of the Legislature.

AND WHEREAS application has now been received from Solicitors of the Creditors requesting permission of the Legislature to sell the assets of International Bloodstock Limited at a proper price with the proceeds of sale being used to pay the creditors' claims and the balance (if any) remitted to the Government of the Cayman Islands in accordance with the provisions of the Companies Law.

NOW THEREFORE BE IT RESOLVED that this Honourable House grant the permission requested subject to the payment of CI$300 as a preferred debt from the proceeds of sale, owing to the Treasury of this Government and the remaining proceeds being used to pay all known and proved creditors notably, the balance (if any) being remitted to this Government.

SECONDED BY HON. D.H. FOSTER.

HON. V.G. JOHNSON: Mr. President, I regret very much not being able to gather more information on this particular matter, but because any authority given in respect of a defunct company or a company struck off the register of companies must be given by the Legislative Assembly, and because it was necessary to have the authority of the Legislative Assembly at this sitting the motion had to be brought at this stage.

However, I will be writing to the Company before the final authority is given for the sale of the assets to gather more information about the assets, the beneficial owner of the struck off company whether there are other creditors who would make a claim on the assets of the struck off company

HON. V.C. JOHNSON CONTINUING. ...and so on.

The motion has been put forward with all the detailed information available, and I would ask Honourable Members to give the motion their due consideration. When the company was struck from the register it went to the Registrar of Companies - fees in arrears to the amount of $600.00, and in the motion we're asking the Legislative Assembly to authorize that the $600.00 be considered as a preferred debt against the proceeds from the sale of the vessel. And after the distribution is made to other creditors, then the balance is remitted to this Government in accordance with the provisions of the Companies Law.

Mr. President, I recommend the motion, and ask Members to give it their every support. Thank you, Sir.

MR. PRESIDENT: The motion is as read out by the Honourable mover, I'll read the resolved Resolution section only:-

> NOW THEREFORE BE IT RESOLVED that this Honourable House grant the permission requested subject to the payment of CI$600 as a preferred debt from the proceeds of sale, going to the Treasury of this Government and the remaining proceeds being used to pay all known and proved creditors rateably, the balance (if any) being remitted to this Government

The motion is open for debate. If there are no speakers I'll put the question.

QUESTION PUT: AGREED. GOVERNMENT MOTION WAS PASSED.

ADJOURNMENT

MOVED BY HON. D.A. FOSTER.

SECONDED BY HON. V.C. JOHNSON.

QUESTION PROPOSED:

HON. C. EMIL BODDEN: Mr. President, with your leave, Sir, under Standing Order 21 I would like to make a personal explanation. This morning a Member of this House said that Miss Lawrence and them could not have been so bad as one of them had been a wedding suit. I believe this reference to have been made to me. Almost thirty years ago I bought a suit of clothes from Cecil Wood. I paid four pounds for that suit, Cecil Wood was brother of James Lawrence. In May of 1970 the Adjudicator of Land settled a boundary dispute which had arisen between Mrs. Cecil Wood and me, I now given absolute title to the land, the only Member for George Town was the Attorney-at-law for Mrs. Wood. A couple of weeks later I received a letter from Mrs. Wood stating that I had stolen her land and should be ashamed as it would not have been possible for me to marry without a writ from her husband. The letter had been copied to the only Member in her capacity as the Attorney-at-law for Mrs. Wood.

Yesterday the Lady Member told some Members of this House about the matter and that she would mention it during today's sitting. I am surprised that an Attorney-at-law would publicly discuss her client's business.

MISS LOUISE H. BODDEN: Mr. President, I have had many attack that could be put on a human on me in this Assembly. I have been called a liar, a blasphemer, and now I'm publicizing my client's business.

Now, I am sorry to inform the Second or whatever he is, Member from Bodden Town, I made no reference to him whatsoever, and if it hadn't been such an array of hate against me the matter would've ended very quietly. I have been called over the telephone and told I am touchy ground, because my association with John Jeffrey, James Lawrence, Stanley Rush, Norman Bell, Norman they put that too, but he's out the picture, poor old age -(LAUGHTER) And, Mr. President, I must say, I certainly do resent this personal that these should have touched me.

The Hon. Elected Member, he got up and said, the petition was not right, I did not draft the petition - I'm sorry, Sir, if I'm

MISS ANNIE R. BODDEN CONTINUING: going off my board, but I got to get some ....

MR. PRESIDENT: I think we must restrict the remarks to the subject of the birthday suit, whichever it was.

MISS ANNIE R. BODDEN: Yes, but I think ..... Monday is another day. And I made no reference whatsoever to Mr. Haldane there, or his land case or anything, and the matter would have been dropped, because they have called me every name possible. I have a letter down in my bag from his wife, he must contact his fellow Sudden Talmer, not me, I never said a word about him, not a word, not one word, but all I'm going to say, like I said in the Commons, those that are hit the hardest will be the ones that council. Thank you.

MR. PRESIDENT: Well, with these concluding remarks I'll put the question.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED AT 3:30 P.M.

MR. PRESIDENT: The Assembly stands adjourned until 10:00 A.M. on Monday when the debate will be resumed on the Throne and not the Budget Speech.

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON MONDAY, 10TH APRIL, 1978.

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER,M.B.E.,J.P.	FIRST OFFICIAL MEMBER
HON. D.R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E.,J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY.
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE M. HONEYEN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS,J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS.
MR. CRADDOCK EBANKS,J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE.
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

MONDAY, 10th APRIL, 1978

1. QUESTION

MISS ANNIE K. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER

It has been over four months since Government has received applications for a Franchise to operate Televised Service in the Cayman Islands, and it is understood that it can take from six months to one year to install equipment to begin operations - WILL GOVERNMENT NOW SAY WHEN WILL A DECISION BE TAKEN ON THE APPLICATIONS MADE IN THIS MATTER?

2. DEBATE ON THE THRONE SPEECH.

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MONDAY, 10TH APRIL, 1978

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE B. BODDEN OF GEORGE TOWN TO ASK THE FIRST OFFICIAL MEMBER

It has been over four months since Government has received applications for a franchise to operate televised service in the Cayman Islands, and it is understood that it can take from six months to one year to install equipment to begin operations - will Government now say when will a decision be taken on the applications made in this matter?

ANSWER

It is hoped that a suitable independent technical expert will be appointed in one to three weeks' time who will be able to examine and assess the applications and recommend to Government the most suitable applicant.

SUPPLEMENTARY

MISS ANNIE B. BODDEN: Mr. President, could I enquire how many applications they've had to date?

HON. D.H. FOSTER: Mr. President, we had six applications, Sir. Since answering the question, just to enlighten the Lady Member a little bit more. We have now gotten replies from all of the agencies that we applied for the technical assistance, and within a week or two Executive Council will be able to decide on which one to appoint, so, from there on it should be fast going.

DEBATE ON THE THRONE SPEECH

MR. JOHN B. MCLEAN: Mr. President, I take this opportunity to extend to you my compliments on your Throne Speech. I do consider it to be a very instructive, impressive, and comprehensive speech. It leaves one only to think that it came from a positive thinker.

Mr. President, in my way of seeing, your Throne Speech was laid out very well, and it leaves very little for me to comment on. However, I wish to confine myself to the area dealing with agriculture and will give a few brief comments on it. Agriculture has always been very important to these islands, our forefathers have survived from it, and it makes me glad to see the great improvement in agriculture over the years. To me, Mr. President, it is even more important today to promote agriculture in these islands, as the costs of imports are continually rising. It seems to me that quite recently there is even more interest in agriculture, everyone seems to be putting their hearts and souls into it. I know for many years there have been farmers who have been working, but quite recently there seems to be even a greater urge to promote their crops and to make it more profitable. I have been pleased with many small farmers, and I'm quite happy to see their harvest this year, especially in yams, potatoes, and other crops. I think the most abundant was yams, everyone who planted this year seemed to have had a very good crop.

On the whole, Mr. President, it seems to be an urge to promote things like poultry, vegetable gardens, and ground crops, some cattle. I think which is mostly confined to a few people. But, however, I am quite happy to see the effort put forward. I am sure that Government is doing their utmost to promote it, their heavy equipment is now available to farmers, but unfortunately in my area, which is the East End, and I guess parts of North Side, I do not think that the farmers will be able to utilise this as much as other areas, due to the fact of, I would say, rocky areas with just pockets of soil. However, I will do my utmost to promote this in my district and to sell the idea, that where possible this should be used to promote such further.

MR. JOHN B. MCLEAN (CONTINUING): It seems to me, Mr. President, that the Department of Agriculture and the Member responsible for agriculture is now putting their heart and soul into this, and here of late, it is even drawing the eyes of those who over the years continually said, that agriculture could never be profitable in these Islands. I wish to commend the Honourable Member for his efforts, and I do hope and trust that in the years to come he will try his endeavours to promote agriculture even further. Thank you, Mr. President.

CAPT. KEITH P. TIBBETTS: Mr. President, I must first of all offer my humble congratulations to His Excellency for a most dynamic Throne Speech. Each person that I have mentioned this to expresses their feelings that this speech will go down in history as one of the greatest ever made in this Honourable House. It does give me great pleasure to be a part of a house when the people feel like we have leadership that is really almost beyond reproach.

I will refer to a few passages of your speech, and if it is critical, Sir, I would ask you to accept it as constructive criticism, as that is the light in which I'm going to endeavour to put it forward. The first point I'll like to mention is the United Nations.

Mr. President, we all here are proud of the stand that you took along with the other Members of this Legislature last year to try to convince that body of people, that we here in the Cayman Islands want no part of discussions from this organization, called "The United Nations". To be honest, I often wonder how they can come in and out of the Cayman Islands through our Immigration doors without being stopped knowing that they are communist dominated, and only has communism taken. To me, I cannot respect the United Nations or anything that goes with it; if you read, and I know that you do read, Sir, quite a lot, everywhere that they have interfered with has ended in a chaotic condition. Right now, I am reading a book on the life of General MacArthur in the Pacific, and the more I read that the more convinced I am that the United Nations greatest idea, greatest aim is to be having the entire world under communism; thank God we have a democratic Government in the Cayman Islands, and I'm looking forward, even after I'm gone, for democracy to still reign supreme in the Cayman Islands.

The next point I want to mention, is Cayman Airways. I don't know what I should say on this, as there was a lot of debate here the last few days on this subject. I stood here, I told you the feelings of the people in Cayman Brac and I told you my own feeling. We here in the Cayman Islands are always referred to as a ship, being we are in the same position, we are surrounded by water, the same as an ordinary ship would be, and we have ship owners in these Islands in this same Legislature. If, and since we have agreed that the Cayman Islands Government should support Cayman Airways in purchasing their plane, I'm saying, that that must be used and operated like any other shipping company does their ships; and the name of the game on a ship is "utilization". When a ship is swinging and in port it costs money, the same thing applies to a plane, when it is on the ground, it's costing money and not making it. I suggested on Friday that we should open other routes, I suggested Costa Rica or Central America on the whole, but why can't we not open up places like Merida? Once we open up the Houston run we have to fly within a very short distance of three of the big tourist resorts in Mexico. I will name them:- Isla de Mujeres, Cozumel and Merida, all just a few miles off of the beaten track between Houston and Grand Cayman.

I am prepared to support the opening up of new routes that we can utilize the plane, the more hours we put on that plane per day the more payable it's going to be, and I am looking forward to it being payable. Back in 1947 when the first plane started to fly into these Islands on the commercial basis it was an old Vicker's Stramair sea plane, and after a short while a company was formed and local people bought shares in it. I don't have to go around and tell what happened that it proved a failure, but those things you could expect in those days, we knew nothing about aircraft operations, aircraft at that time was a new venture, but I'll always remember what an old ignorant, uneducated man in the Island would say everytime he saw the plane fly by, he would look up and say, "the plane" and I'm looking forward to the day, in the very near future, when we can look up here in the Cayman Islands

CAPT. KEITH P. TIBBETTS (CONTINUING): and see our plane coming in and be able to repeat the same words "Bayplane" even if we got to use his language.

The next point I want to mention is the Little Cayman Oil Terminal. This is a subject that is very dear to my heart, I feel today that my start in life was through oil, through working on oil tankers, up until that time I had to fight along with other men to try to make a living, in those days it was not easy to make a living. And the war broke out in 1939, in 1941 I was out on tankers, and I served seven years there, so oil to me is very dear, and I believe if we stop and think that oil tankers have had more to do with making the Cayman Islands the paradise that it is today than any other business that has ever come here, because that was the first thing that ever gave the Cayman Islands/boost for them to start to build up and find employment for their men; and to see that better homes were built, more cars brought in, and on the whole, bring up our standards of living. I quite realize, Sir, that you in your Throne Speech, mention the steps that this project is going to put on the infrastructure of the lesser Cayman Islands, as they have been called, which I refer to as Cayman Brac and Little Cayman. I don't know if anyone really and truly knows or has studied all the ramifications of what this oil project is going to mean. Everyday, every night I see other things coming about that are going to build Cayman Brac and Little Cayman into a more important section, not only the Cayman Islands but the entire world. We had tankers coming there on Saturday - transferred oil again, there again this morning another one arrived and the transfer had already started before I left home this morning, and that means a lot, but when this project on Little Cayman gets started, where it should be a continuous flow of oil day and night, what that is going to mean to these Islands, I don't know if anyone really comprehends.

I am prepared to support anything that is within reason to make this project viable, and to bring it into fruition as soon as possible. The agreement that was signed here last week between the Government and Cayman Energy I believe is one that will go down in history as one of the biggest projects in the whole Caribbean area, because actually we do not have oil to sell, places like Trinidad, Venezuela, a lot of other countries have oil to sell, but we are only here for a trans-shipment point. In other words, we are only an extra large super tanker, is what we're going to be from now on.

I'd like to refer to a few seconds on education. I discussed with Mrs. Sheffield last week, she was here on radio education, and she seems to be very enthused about the schools we have here in Grand Cayman, she didn't visit Cayman Brac and she seemed very enthused about it, and she said, she thinks we have one of the best educational system there is in the whole Caribbean, at least in the islands she has visited. I do not disagree that we have the best, but we still feel that we want better. There are other avenues that we can open that will make our educational system better. The first Elected Member on Executive Council has put projects forward which I strongly support, and if we all stop and think, I don't agree that we are doing our children the very best. When we take an eleven year old child and put them in High School, well, they have to mingle and associate with sixteen and seventeen year old, you can call them adults, they are a lot more mature. I believe if we can space that out a little differently, we will be adding a lot to the education of the children of these islands.

We have - I don't know how to describe it - a bad situation in Cayman Brac with two of our students. We sent off last year to train, they were sent to Jamaica in September and they returned in December, they would not go back to the conditions under which they were being taught. The conditions there were deplorable, the education officer here was notified and those two students have been left to hang up until the present time, as we can say. They haven't been found another place to go to school, they haven't been told what they're going to do, until last week, or a week before last one of them got a letter from the Education Officer saying, that they could not sent them to the States, they would sent them to some other school, but they must try another college in the West Indies, in the Caribbean area. To me, I've spoke here in this same Legislature about sending our children to the other Caribbean Islands, and I still stand against it, because we want our children to have the best education possible. These children, both of them have been accepted as students in colleges in the United States on their own initiative, not through

HON. KEITH P. TIBBETTS (CONTINUING): our Education Department. I know that one of these students are now expecting to go in to start a job in one of the banks. I feel like our Government has lost a teacher of the future, because I'm doubtful if that student will now leave employment in the bank to go to train for a teacher. This is one of the ways that I feel our education system needs to be re-fightened only I know it is hard for our Government to find money to send these students off, but then, we need our people trained, the sooner we train our people, and the better we train them, the better off these Islands will be.

Agriculture and fisheries. It was a shock to me to learn from your statistics that we had imported more than a million dollars worth of sea foods in the past year, but I am proud of it, and I'm looking forward to this being even bigger in the years to come. And I would like to support what the Member from East End said awhile ago about agriculture; it's one of our real need, we should exploit it more. I, for one, I'm a big land owner, I do a fair amount of cultivation, I'm not saying that it is very remunerative but at least I'm not sinking money on it, and I feel like if we can do more agriculture in these Islands we would be a lot better off.

Health. Health in these Islands to me is one of the things that we really must take care of, but I was surprised to hear from your speech that there are plans for improvement to the hospital here in Grand Cayman. It was a lot said in the last couple of years, that the hospital here, when it was completed under the scheme would be the best in the Caribbean, everything would be just about perfect with it. Then I see just here recently we had to vote money for our new x-ray machine. I know that we in Cayman Brac are a little different group from here in Grand Cayman, the hospital there was built by the public. I have fought for the last several months, and I am very thankful to say now that the rates have been adjusted. I don't want to see the rate increased on the local people that built this hospital, found the money, found their time to work and assisted in other ways, but in the past if a non-Caymanian came in there and got treatment, he got the benefit of what the people in Cayman Brac had worked for. In other words, he only paid the fifty percent rate plus his fifty percent as being a non-Caymanian, now it has been adjusted where he will pay the same rate as you do in Grand Cayman plus his fifty percent. The same thing applies to the Insurance Companies, the majority of the people in Cayman Brac are covered by health insurance, but everybody in has a clause that says if your invoice does not cover more than half of the daily subsistence you are paid for they will pay half. These Insurance Companies have been reaping the benefits of the work of the people in Cayman Brac and Little Cayman, that has also been adjusted to where they in turn will pay the full rate instead of the fifty percent. But I would say this, that I must appreciate, and I support the idea that you have mentioned of putting a room or a ward on to the hospital for the mentally ill, that is one of our real down to earth needs. We have several people in these Islands that are mentally disturbed, slightly deranged may be that needs help and they cannot get it unless they go off to somewhere else, it costs them a lot of money and we should endeavour to have a ward, I don't think one room would be sufficient to take care of the mentally ill in these Islands.

I don't know, Sir, if you are aware, but we had to build a special room behind the hospital in Cayman Brac for a mentally ill patient a few years ago, it cost the family of that man a fair amount of money, and he got some support from the public, the man is dead and gone now and the room is still there and it can be used but it should be extended, because it's more than one that needs help.

Tourism. It is really gratifying to listen to the figures that you quoted us here on what tourism has done, and I also see it in the papers and heard it on the radio. I am looking forward to tourism building a lot more than it is today. Once Cayman Airways gets it bigger and better plans and open more routes, we are bound to bring in more tourists. The only question that it leaves in my mind, are we going to have enough room to accommodate the tourists that we can bring in? I see where there are plans for more hotels, more condominiums to go up here in the Cayman Islands; I believe they have to go up and go up fast to keep up with the pace of things that they are looking forward today. As far as Cayman Brac and Little Cayman are concerned, we have just opened up tourism, you may say, we can accommodate, we have

CAPT. KEITH P. TIBBETTS (CONTINUING): about ninety or more ninety rooms now, and I feel sure that this will project enough about that they are going to have to double that space within a short time.

I know that tourism has its ills and its benefits, but it has been so many million dollars spent in these Islands in developing tourism that we really have to support it, and go along with it, and it does add a certain amount to the economy of these Islands. In conclusion, Sir, I'd like to offer you my whole hearted support on every item mentioned in your speech, and I am proud to be a part of this Legislature when we have a President such as yourself, Sir, and happy all, I am proud to know that you have been selected to spend another year with us. We look forward to even bigger and better things in the years to come. I think you.

MR. CARLTON J. SMITH: Mr. President, it is indeed a pleasure to know that the foreign office has seen fit to extend your tour of duty for another year, and I do hope and trust that during that time you will find it a very enjoyable time for you and your family, and as well, that you will not have too much difficulty in keeping us in order in this honourable House.

I wish at this time, Sir, to congratulate you on your very clear presentation of the main operations of Government for the past year and of your optimistic forecast and projections of the year immediately before us and of course yours to come. Mr. President, at this time I would like to comment briefly on some of the items you mentioned in your speech from the Throne a few days ago.

The physical Development Plan approved in 1977 was a major step in the right direction, and it has already got this country on a move. It is very viable, and the country as a whole is grateful for the clean and sensible Plan. Today, I want to offer thanks to the general public for the stand in which it took then unsure.

The United Nations Mission which visited us caused a big furore un-necessarily, but our representation made here in this Island and at the United Nations should leave no doubt in the minds of that body where the people of the Cayman Islands stand.

Cayman Airways, one of the main blood arteries of the Cayman Islands must be maintained, and it was like a cool, refreshing breeze to hear the report from the Honourable President of this House, and to know that his solid backing is behind the Members of this Legislature in our efforts to make it a success and a viable undertaking. I feel, Sir, that eventually it will be a great success.

The Little Cayman Oil Terminal seems at last to become a reality, after previous years of intimations, and in-action - this came to us as a big, unhopeful, blood transfusion; I only pray and hope that the Cayman Islands as a whole will live up to all that is expected of them, and that this venture of Cayman Energy Limited will be virtually a gold mine for the mutual benefit of all those concerned.

Much has been said about our Educational System, and the qualifications of the Caymanians for the holding of higher jobs. It is my honest opinion, Mr. President, that Caymanians can qualify for anything once they have the education, the training and the experience. What really counts today, Sir, is the certificate. Experience doesn't count very much without that certificate, in fact that is what is happening here in these Islands today. Caymanians are a practical people, and as I said here in this Chamber many times before, in most cases they can do the job better than the person with a certificate. But, Mr. President, we have entered into a new era this is why we need to educate our children and steer our educational system so that we can have our men and young women qualified with a high standard of education, so that they can fill these vacancies when we have to bring in people from abroad to fill them today. It is reassuring to know that Government/dedicated to the upgrading of our whole educational system, and is now in the process of examining the best means of doing this. Mr. President, an educated and informed people are generally a satisfied and happy people. We must shout for higher education in our schools; we must get the best teachers available, we must get the best accommodation and equipment that is in our power to get, so that our young people can be properly prepared for life. Wouldn't it be a wonderful thing to boast a financial centre, a tourist centre and an oil centre; and added to these, an educational centre with University training.

MR. CARSTON J. SMITH (CONTINUING):

Mr. President, I want to make it unmistakably clear that I do appreciate the people who have come here to assist us from abroad to fill these vacancies. But we cannot embark on this course forever, it is our job as Legislators to assist our young people every way we can, because we must remember that they will be the men and women of tomorrow.

Mr. President, I am very pleased to see the improvements at the Cayman High School. Over the years I had advocated walk-way shelters at this school, and at this time I must congratulate my good friend, the Hon'ble Elected Member for Executive Council whose portfolio schools come under, for taking such prompt action on having these shelters erected. This was not only needed to keep the children dry, but also to protect the children's health. The point I'm trying to make, Mr. President, is that the healthy our children is the important part, and this must be preserved if we are going to produce what we are striving for; a healthy mind and a healthy body for tomorrow. Before leaving this part, I must say how happy I am that Government has been the need for better sporting facilities for our youths, and especially in my own district. The youths of our communities have deprived of these facilities over the years, they can now enjoy their games at night if they wish to, for this, I am very grateful.

Our Hospital and Social Services have improved over the years, and hopefully will continue to improve. However, it is my opinion that less expensive rooms are needed for the poorer patients. Since returned ever since I have been elected to this Honourable House the need for a doctor on duty at the Hospital compound at all times, these and other problems must be investigated in the future for the betterment of all our people.

In regards to tourism, we are looking forward to a booming year this year, but I would like to advise that our present facilities are stretched to the limit with some hotels having a ninety-nine percent occupancy; we are very hopeful that due to the hotels having this type of occupancy that investors will come forward with firm building proposals so that we do not get further congested. Our tourism business can only expand a very small amount under the present conditions, unless someone comes forward and make a large investment in the tourist business. It will be true to say that for some time the hotels in Cayman did not make any money, but, Mr. President, I think that this trend has changed a lot, and the hoteliers are becoming much more happy with the results of their labour.

Mr. President, I am also happy to know that a training school has been set up in these islands, because with the increase in tourism the people who are employed in the hotel trade must look at this as a career and if they do not look at this as a career and are not willing to fill these jobs our country will be in a bad position, because we will have to bring in people from abroad to fill these jobs. And we must also remember that most of these posts are the type of jobs that have to be filled by our teenagers when they come out of school. This is where they come in for basic training.

Mr. President, much has been said in the past in this Chamber about tourism, and I know that much is going to be said in the future; much criticism have been placed on too much advertisements - advertising, etc., it is needless to say that in this modern day and age in which we live, it pays to advertise instead of relaxing that media, the Government have to stress harder than ever on advertising. Mr. President, this field is a very touchy one, and it is this - with this in mind, that I believe the Government is trying to foresee all of the problems. And I want to say, as I've always said in this Chamber, with my limited knowledge there is no time to relax this media in the tourist trade, we should stress every means within this Government to keep this going because it can go quicker than it came.

Turning to employment, this has been a problem over the years, but with the oil terminal on Little Cayman getting under way I feel, Mr. President, this will give an a boost in the arm for our employment and a new cash flow will come into the Island.

Lastly, I would like to point to all Members special attention to the last paragraph of the President's speech. And I quote:- "It remains for me to express the hope that with divine guidance Honourable Members will continue to exercise the wisdom culminated from their forefathers and guide the country with sensitivity, respect for public opinion, and with the love and

HON. GARNETH S. SMITH (CONTINUING): pride of achievement endears on a well found ship. It always does with homeowners to choose the paths and to grow them to suit the mind. 1970 is not fair". I thank you very much, Mr. President.

HON. G. SAID DONDER: Mr. President, just prior to delivering the Throne Speech the week before you had made the announcement that your time had been allocated by the Foreign and Commonwealth Office, you must have sent them a copy of your speech, because you definitely have an optimism in that speech, which if it can be shared with the public and with the world at large there is nothing that can stop the progress of these Islands. We have many people who go around talking about the unemployment problems in the Island; talking about what Government is going to do with school leavers, but it is not the job of a Government to find employment for it's people, the only Governments that do this are those socialists and communist Governments where every thing is run by the State; every thing is provided by the State. Government's job is therefore not to find employment, Government's job is to create the climate under which the private sector can make investments, and therefore by their investment portfolios provide the infra-structure from which employment will flow. And it is the big job of this Government to provide that climate whereby, not only local people but foreign investors can have confidence in the Cayman Islands and therefore bring in the necessary capital; this confidence cannot be engendered by those who run around saying, that this Government is going to impose house tax and land tax and it's going to run away the foreign investors. We have no one to blame if people have fright on us but those few misguided people amongst us who share way the would be foreign investors with their ridiculous and unfounded, and irresponsible statements. This Government under your guidance has gone a long way in providing the climate which is necessary for the future growth and the future economic development of these Islands. One only has to look upon the major events that have taken place here since November 16th, 1970 and one will see that we have at the head of affairs, not only a Governor but an Executive Council and a Legislative Assembly who together are doing the job which is necessary if we are to maintain the confidence which has been built up over the years.

A slight mention was made of the passage of the Development Plan, enough emphasis cannot be placed upon this singular event. The proposed Development Plan introduced in 1970 helped to cripple, in fact it was the largest singular factor in crippling the economy of these Islands, because it not only slowed, it actually halted development. I know there were other factors, but this one had them all. In your Throne Speech you announced that one year prior the passage of the new plan we have been proposed development increased by, I think the figure was one hundred and forty-seven percent, and it is now up to a total of fifteen point seven million dollars. However the Members of this Legislature may differ there is one thing we have in common, and that is, that all the Members who were returned to this House in November 1972 had pledged themselves to change the old Development Plan and to produce the type of plan which has gone into law. To our astounded people how this new Plan was accepted by the public. The former Plan was totally unacceptable, it had caused controversy both in this Chamber and outside, yet when this new Plan was proposed it was accepted, and it was accepted only because the public knew that in the passage of this Plan the significant part of it was, that the words "be sure" could be found in every page of it. The Members had given their assurances to the public that they would change this Plan, they would have something that would take into account the orderly development of these Islands; would take into account high ecological standards, but on the other hand, would still give a flexibility which was necessary for the future economic growth. And the public believed that, and the public knew it, the public knew that if there was any section of this Plan which could not work for us that section could be amended because they had a membership in this House which is always willing to listen to the public, and afterward the public to satisfy in their own mind whether the criticisms of the public, the grievances put forwarded, sufficiently strong enough to warrant amendment.

One can also look at the major events of the past sixteen months and know that this Government is on the right track in providing the climate for economic growth. One of the largest investments in the Caribbean, and definitely in the Cayman Islands is the construction of the oil terminal in South Cayman; either large international banks have gone away on the Cayman

HON. G. HAIG NIXON (CONTINUING): Islands are worth investing in. The largest investment house in the world, Merrill Lynch, Pierce and Smith, are spearheading this investment and when they put their money down they know it will return; and this speaks well of the confidence that foreign banks have in these Islands. They are not afraid of any nonsense about property tax, because they know that is only coming from a few disgruntled and disillusioned people; they know these threats are not coming from the Government of the Cayman Islands, and so they have come forward with this major investment which will revolutionize employment in these Islands.

Only this morning I read a letter which had been written to me in 1974 by Capt. Van der Linde I had accompanied him to Cayman Brac and we had a public meeting at 12 o'clock in the day and he outlined his plans to the people of Cayman Brac; and from that day onwards there was a commitment by the people of the Lesser Islands to have this terminal established there. This terminal will provide over the next thirty years a minimum revenue of one hundred and seventy-five million dollars, this is much more revenue than these Islands have collected over the three hundred and fifty years since they became a British possessions or Lines to us grow mighty. You just that this is the greatest event in the economy of the Cayman Islands. This country started to grow many years ago when Nathaniel Bush Cayetano started taking away men, and these men started to remit their savings back to their families. In the early fifties the remittance from seamen abroad exceeded one million US dollars. Our economy got another boost with the coming of tourism, to get another boost fifteen years ago with the advent of the banking business, but for the last fifteen years there has been really no new source of revenue from outside, and I want to emphasize this. The revenue from this oil terminal will be revenue from outside, not calculated as I understand the land tax was to be at so much per person if the Cayman Airways Limited have gone through but revenue coming from the outside being rained down from heaven as it were upon the lowly mortals in these Islands.

To comprehend the figures which we will receive in minimum revenue, you need only divide the one hundred and seventy-five million dollars by the fourteen thousand people in these Islands and you will see that revenue is equivalent to twelve thousand five hundred dollar per person for every man, woman and child, and that is only the minimum, there is no building when the total may be. But the real benefits of this project are not in the revenue which Government will derive directly; the real benefits are in the jobs that will be provided both during the construction stage and during the operation; the real benefits will come to the businesses that will service this operation; the ships chandlers; the shops; the airlines; the hotels; every phase of activity will derive some benefit from this wonderful project. If we continue to look at the other major events of the past sixteen months you will see that Government is endeavouring to provide the climate under which the foreign investor will put his money here and will provide the employment which we need.

The Airport in Cayman have to be lengthened to take jet aircrafts, and when Cayman Brac enters the jet age I imagine we will see the same acceleration of the economy as we have seen in Grand Cayman, extra jobs will be provided, not from Government but from the climate which the Government has provided. We passed in this same sitting - this same session of the Assembly the Petroleum Bill which empowers Government to grant licenses to those interested in prospecting for oil, and if the oil is discovered to further grant agreements by those people for the production for the exploitation of the oil, and this is what I called providing the climate which is needed so that the foreign investor can have confidence, and can put his money where it can provide employment. I do not look to Government to provide jobs for school leavers, but to provide that climate which will guarantee the need for school leavers in ever increasing numbers.

One can look at the emphasis placed upon training. Cayman Airways, which really means the Government, has been merely criticised for spending a hundred and twenty thousand dollars on the training of pilots. These are men who didn't come to Government initially for training, these are men who by the sweat of their brow or by the sweat of the brow of their parents went out and got the initial part of their training, and now need some advanced training. This money was well spent, this is what the Government is all about, this is what it should be all about, providing for the citizens of the country who are able to take the training, that training which will make them able to take care of themselves and that they won't become a problem or a burden upon the country.

HON. G. MILO BODDEN (CONTINUING):

Mention has been made of the training to be provided in the tourist industry, of scholarships going to children, and this is where Government must act, not only to provide the climate for the jobs to be provided but also to provide the qualified people to take these jobs.

In your speech, looking towards the future with optimism you have mentioned that we are on the verge of breaking the ice on the ships' registration programme. I will remember years ago when the then Member from Bodden Town and I introduced a motion asking Government to investigate this problem, and how the Assembly at that time voted it down, not because it was not a viable programme, but because it was not ripe to be at that time a programme worth going into. And I believe I'm safe in saying that in your capacity as Governor you set up a committee to look into this matter, and today we are told that we are on the verge of a break-through. This is a project which could be far greater even than the oil terminal in Little Cayman. The revenue from ships' registration can reach phenomenal proportion if a proper registry is set up, if it is properly run and if the Government, as a Government, provides the climate that will encourage the foreign ship owners to register their ships here. In providing this climate the Government needs the help of the public, because it is the public that is going to prosper, it is the public that is going to be hurt if anything goes wrong.

Often in this Chamber we have heard about the decline and fall of the Roman Empire and what caused it. I don't want to go into that, because it took Gibbons six full volumes to tell this story; but if it does to one underlying theme, and that is, that no matter how complex or how solid a Government may seem it is always fragile, it can be destroyed. Who would ever think that in the days of Mr Alexander Buchanans that Jamaica would be facing the problems it is facing today?

Our economy at the present time is complex and it is solid, but it can be destroyed. And the two enemies that will bring about its destruction are fear and exhaustion; fear in the wrong use, fear that is engendered by unrealistic people who go around sending petitions to the Queen, saying, we don't want Independence when there is never any talk of it; fear engendered by people who say, we're going to have war and looting when there is no such thing on the horizon, putting the public upset, getting them fearful like little children being afraid of the dark when there is no reason for fear; making them like the simple-minded, afraid of the supernatural, telling them that we should not have any need to question anything or to change anything. They're saying, this worked well in the past, why there is no need to question it, there is no need to change it; you can continue with Lomé, you can do this, anybody who says there is need for change is mad -(I think the Cayman Airways Limited motion was what it was called) - this is what destroyed the Roman Empire, the people were afraid, they were fearful of things that never happened. One of the Greek poets put it quite well in a poem in which he told of the people of Alexandria, waiting for an invasion from the Barbarians, and they sat down day after day just waiting to be destroyed. The Barbarians never came, and the people who had lost all their ambition, the people who had been filled with fear said it would have been better had they come.

The second reason for the destruction of any Government or any people can be that of exhaustion from doing nothing; the feeling of hopelessness which is being instilled in the people is destructive. We have those here who are willing to support any attempt rather than to admit that they have been subject to political confusion.

Mr. President, I want to turn a little to the Departments under my portfolio. You mentioned in the Throne Speech about the new policy which allows the Government to have equipment to be rented to farmers at prices that are substantially below the commercial rate, this seems like a simple exercise, but it is in the very core of the difference between capitalism and socialism. If one read the stories in the Press over the last couple months one would get the idea that the only way you could have agriculture is by protectionism, simply by banning the importation of apples, lettuce, eggs, meat and fish, you would have agriculture. When Government did not see fit, although pressure had been put by an egg magnet to ban the importation of eggs, this Government did not see fit to do it. Protectionism, the banning of agricultural produce is what has destroyed agriculture in Jamaica, Guyana and

HON. O. HAIG BODDEN (CONTINUING): Sir, these countries that once exported agricultural products are not now only sufficient for their own people. Because they banned product after product and the people produced less and less, they produced poorer and poorer quality, they continually increased the price, and finally there was nothing for no one. And this Government has taken a strong stand, and regardless of how much this is advertised by the Press who are socially oriented - unrealistically oriented, I should say, we will not enter into the banning of products, but what we will endeavour to do is to help our farmers to produce a product which is better in quality, cheaper in price than that imported; this is one step towards it.

We see the need for the establishment of a market on Sunday primarily, and hopefully, if we can get some revenue, either from Cayman Airways or the Off Terminal a market for agricultural produce will be established so that the farmer can bring in his yams sell them at the market and go home to plant more, and the housewife will be able to buy without having to go through a third party, like the supermarkets.

During the eighteen months we have amended the Customs Law to allow Items for agriculture duty free, this will mean a better rate to the farmer so that he will be able to produce cheaper. At the present time it is being sought to find funds which can be made available to the farmer for the clearance of his land and the production of food. The Agricultural Department is limited in staff and money, but to date have a great deal of technical know how which is available to farmers if they apply for it. It is very difficult for the Director to reach every farmer, but I'm sure if a farmer approaches him with a problem he's only too willing to give his advice. And so we feel that agriculture is necessary, but we feel that it is not necessary, as was said recently, for the Member for agriculture to know the difference between lettuce and cabbage; that is not the role of Government. Government's role is to provide the climate under which agriculture can flourish and under which our farmers can produce goods which can be sold on the market competing favourably with imported products.

A big job is now being undertaken at the Land Registry Office where all the records will be put on film for storage purposes. We feel this is necessary to have exact copies in case disaster should strike where the records are now kept, and there is no intention of destroying the original records, but micro-film copies will be made as protection against fire, earthquakes or any other hazard that may destroy the existing ones. And I understand from the Second Official Member that when the Evidence Law is drafted provisions can be made for the admission of this type of evidence in Court if needed.

You have mentioned the fact that the United Nations will be providing some advice on the establishment of a fisheries market or cold-storage. Earlier this year we were offered or last year we were offered a fisheries project, this was well advertised, many pages of a popular magazine were devoted to its publication. And I understand, that if I'm to be replaced as Member for agriculture in 1980 a certain person will be hitching his wagon to the wings of that project; that project was buried so we might after November 1976 and we dropped it like a hot potato because it was a regional project involving Jamaica, Turks Islands, Belize and the Cayman Islands. The other three countries were to catch the fish and sell it to Jamaica; can you see if this project had been completed how many local delts we would now have on our books. Furthermore, as a capitalistic country we did not want to become involved with socialism even if it is called democratic socialism. The opposition would've really had something on us if we had taken this project, because we were to put up six hundred thousand dollars, which I understand would've been lent by the Caribbean Development Bank. This Government was to guarantee the repayment of that and we would own ten percent in the company; these were the reasons why this project was dropped, it was not because we did not want to help fishermen, it was because this was in my opinion one of the most stupid schemes that has ever been put before a Government, and we have no hesitation in saying that we will never go into such a scheme.

It is my understanding that the Members would like to finish today, Mr. President, and I have endeavoured to keep my speech very short. And with these few words, I would like to congratulate you on having presented a speech which does hold out some hope amidst the turbulence that we have endured over the last few weeks.

MR. GROVER G. SMITH: Mr. President, first of all I wish to congratulate you on your Throne Speech. It is beyond a doubt the best speech ever presented in this Assembly. I hope that you were prompted to make such an informative speech as a result of your one year extension to serve the people of the Cayman Islands, and if that's the main reason, Sir, believe me, I am prepared to ask the other Members of this Assembly to ask you to remain with us for another ten years. Sir, I will attempt to confine my debate to that of education, employment and other related social matters.

I will start with the training of Civil Servants. In your Throne Speech on page eight you referred to Government stated or muted policy of Government, to so plan programmes for appointments and promotions to Cayman Islanders or persons with Caymanian status over officers recruited from overseas where qualifications are held and there is an acceptable degree of experience. The Public Service Commission operates this policy.

Mr. President, as I've said, your speech in entirety has been the best ever presented to this House. Now, Mr. President, from your point of view or as Governor of the Cayman Islands, the person responsible for Civil Servants, I will give way, Sir, you Excellency to be commended on that particular statement. However, looking at it from the practice of the Civil Servants you have fallen considerably short to carry out those things. I refer to the statement, Sir, as absolute rubbish; no disrespect to you, Sir, but I cannot honestly look at it from any other point. In the past I have continuously referred to inconsistencies in the manner in which we train persons, as far as proper utilization of persons who have come back to the Cayman Islands trained, persons who Government had paid a tremendous lot of money to train.

In 1977, I made it a point to call names, to cite dates to state specific circumstances where the persons responsible for training and placement of trained persons in the Civil Service had gone wrong. I was told that there is a proper and effective way of having these errors corrected. Mr. President, I have attempted through many ways and means to rectify, or have some of these errors rectified, and to no avail. I have discussed the matter with you, I have discussed the matter with the persons responsible for Personnel, I have discussed the matter among my colleagues, I have discussed the matter on the street; and as I've said, to no avail. And this year then, Sir, I'd like to bring a few other discrepancies to your attention. I'd also like to bring them to the attention of the public and the Members of this House. Now, I'll take the case of the mark. I should say very publicized issue involving Mr. - or I should say, a licensed Caymanian whom Government spent a tremendous amount of money to train, who returned to this Island and irrespective of his attitude towards Government I honestly feel that the persons responsible for the positioning of persons returning to this Island have fallen down on their jobs; may be it is a deliberate attempt to keep this individual out of the service, but at the same time, Mr. President, it pains the public something to be very critical about.

I'll bring to your attention a similar case which occurred about two weeks ago. We had a young man returning to the Cayman Islands trained as a Lab Technician, the director or the person responsible for Personnel was told that this young man would be back in the Island within three weeks - I should say, three months period prior to his returning, yet an individual was hired by Government one week prior to his returning to the Cayman Islands, and the young man was then told upon his arrival that Government had no position for him. Mr. President, this as I said, is absolute rubbish. I will bring another point, we had a young man who went off, came back with a degree as an electronic technician, to enable him to get a job for the Government. I understand he had to write us or three times to you in person to explain his position, finally he was given a temporary appointment in the Government Service. He has been appointed in the capacity of an electrical electronic inspector, a field in which this young man was not trained to do. At the same time we have a young man who was sent to England whose education was paid for by Government funds, came back to the Cayman Islands as a trained electrical inspector; then he was told by the Government or the ones responsible that they had no position in Government for him. The end result, Sir, as it has been told to me, the young man who had went away and trained as an electronic technician is now being forced by Government to go overseas and train as an electrical technician. At the same time we have a trained electrical inspector whom Government has told, they have no work for him, working in the private sector.

It seem to me, Sir, that somebody along the line

MR. GEORGE C. SMITH (CONTINUING): how no understanding or no concept of what a person's ability is or should be after he has been trained overseas and returned to the Cayman Islands. The young man who has received his Degree as an electronic technician and told that a degree from a United States institution is no good, this again, Mr. President, is ridiculous, because whether we like it or not, two and two makes four in any country of the world we go, and so the United States is the leader as far as electronics and communication is concerned, and I honestly feel to give this young man an answer to this request - it's unfair.

I'd like to say today, Mr. President, that the one individual whose funds were provided by the Cayman Islands Government should be brought back into the service and trained or, should I say, yes, give him the necessary training to qualify him as an electrical inspector. Mr. President, on the other hand the person who was trained as an electronic technician should be utilised either at the Radio Station or trained Service the new X-ray equipment at the hospital or trained to service the many pieces of electronic equipment that Government has, namely, electronic calculators, copying machines, and so forth.

It has been said, Mr. President, and if I may coin a phrase on the next road, that the Fourth Elected Executive Council Member attempts, unfortunately, I should say, in foisting these responsibilities to him as a dictator. But I will say here today, Sir, that with the run around that the public gets from the Civil Servants today, I will humbly ask the other three Executive Council Members to start attempting to exercise dictatorial powers if this is what is needed in the service today to get something done. I think enough has been said with regards to training within the Civil Service.

Mr. President, education in general in the Cayman Islands has made some strides in the last few years, but, Mr. President, I think the Member responsible for Health, Education and Social Services should be most commended to the body he has in reviewing the education system in the Cayman Islands. I would also like to tell him, thanks very much for the effort put forward in acquiring or attempting to acquire the money to provide a primary school in the George Town area and in the Savannah area; it was something that we needed many years ago, and it's something that we are faced with today that I'm sure the people - the persons who send their children to the school will highly appreciate. I had the privilege just recently to attend a graduation performed by one of the private schools, namely, Truth for Youth here in George Town , and, Mr. President, I may say, that of the many graduations I have attended here in the Cayman Island, the graduation performed by the Truth for Youth School has been one of the most - I can't even find the correct word - but I tell you, one of the best demonstrations of the potential of the young people in the Cayman Islands today.

In one of our much publicised newspapers - I should say, periodical, it has been stated that we have a shortage of work in the Cayman Islands. It has been stated that the Caymanian Protection Law should be relaxed so that we could bring in - the firms now operating in Cayman would be allowed to bring in more expatriate staff in that the unemployed or the presently unemployed would benefit. Mr. President, I must say here, Sir, I see this in the negative. If we have two hundred and seventy five or five hundred and fifty persons presently unemployed I see no way how bringing in more persons from overseas can help these persons who are presently employed. It would appear to me that the persons or companies who would wish to import more labour should take the time out and attempt to train some of the present unemployed persons in our community. I would say, Sir, that training should be the key word for the year 1979. In the year 1978 we referred to it as the year of education. I think the year 1978 should be referred to as the year of training.

Much has been said about the Oil Transfer in Little Cayman, the number of jobs that it will create. Mr. President, I feel it would only be fair to the unemployed in Cayman, to the number of graduates coming out of school today, or I should say, in the near future, that Government approach the Chairman, namely, Hon. Van der Linde of Cayman Energy and say to him, what calibre of persons will you need to continue your work in Little Cayman. Mr. President, I am assured that many of the jobs that these people or this company will require will be jobs that had we had a technical school here in the Island we could train them in anyway from three months to

MR. GEORGE C. SMITH (continued): six months. And, Mr. President, a short time as it may be it could give any number of persons in our society the basic skills required to provide the technical skills that will be required in little Cayman, and at the same time put these persons in a financial bracket where they would be a tremendous asset to the Cayman Islands.

Mention of a technical school here in the island, I'd like to first look to the basic understanding of knowledge, I should say, the discipline given to the young people in our society today. We say, or it has been said, that the young people today have no ambition, they have no initiative; Mr. President, I'm not prepared to agree that this is the problem. I remember when I was growing up, eight, ten, maybe years old, the thing was for a young man to go to sea. Discipline in its right was automatically brought in. The young man going to sea or that name was disciplined in a very specialized way, he was disciplined to function as a seaman. I'll go one step further, Sir; when I was a boy it was a disgrace for a young man to consider growing up in this society and not going off to sea. However, as time went on I remember when I finished High School the trend was such that the public was beginning to wonder, do we want to go to sea or do we want to get involved in the new jobs being provided by the banks and trust companies? And gradually the status has been changed such that it was a disgrace for a person then to go to sea and not employ, or should I say, engage himself in the private sector. Unfortunately, time has gone by and we have found that the banks, trust companies, the private sector have absorbed as many persons as it can employ today. It still employs each year ten to fifteen percent of the graduates from the schools.

Well, Mr. President, I think it is time that the public, Government, the parents of these children sit and let them know that the glamorous jobs as the term has been used are there anymore. It is time that they start learning to use their hands, it is time that they become mechanics, it is time that they learn the basics of plumbing, it is time that they learn the basics of electrical trouble shooting, for, Mr. President, the technical era is now upon the Cayman Islands.

In your speech, earlier, Sir, you made reference to regarding in the Civil Service. This I think is a very necessary item. However, Mr. President, when one examines the present salary structure paid to the Civil Service, in many instances one cannot wonder if the particular salaries were not decided upon more for the person instead of the position. I say this, Sir, that we find that such persons as doctors, nurses, persons on entry four to ten years above and beyond High School to train and receive their special skills, yet we have persons in our service today who barely went to standard six, if I may say so, and who have not even passed high school graduates, and yet the discrepancies in the salary scale make one wonder. And I will ask you, Sir, that in revising the salaries or regarding the positions that these things be taken seriously into consideration. Another word that has been used, Sir, is the word "experience", I rather regard that word as a dirty word, Sir. The word "experience" is only relative to, and the first speech I remember in this Honourable House, I asked the question, what are we talking about when we refer to experience? And it appears to me, Sir, as time goes by that experience in the Civil Service is not necessarily one's greater ability to solve the problem, but necessarily one's ability to give the public in general a run around.

I will refer, Sir, to the present Registrar of Companies. I am sure that when this young man came to the service he had absolutely no experience in registration of companies. I refer also to the young man in the Lands and Survey Department, he had absolutely no experience of the running of lands in the Survey Department, but yet in a short period of time these two young men have come to the point where these two Departments are running around and third on many running Departments in our Government. Now, if these young men had no experience when coming to Government I cannot appreciate the fact that the word "experience" as defined in the dictionary is relevant, or I should say, that relevant to the positioning of the young people in our service today.

I'd like to draw attention to a situation external to the Civil Service, where a young man with little or no experience in his field has made it to the top in a very, very, very short time. And I refer, Sir, to one of the young men that is now flying as a co-pilot with Cayman Airways Limited. I know you have asked us, Sir, to refrain from calling names, but I think in this particular case the young man's name should be mentioned. And the young man, Sir, I'm referring to is a young man from West Bay by the name of Eugene

MR. GEORGE A. SMITH (CONTINUED): Thanks, he has the less number of flying hours of either pilot now employed by Cayman Airways Limited. But Mr. President, with the little opportunity, a lot of make-work, a lot of blood, sweat and tears, this young man made it. And, Sir, I am convinced that had he applied for a Government job directly he would have been refused on the grounds that he did not have enough experience; and I am sure it would have been another case where they would have brought somebody else in, possibly, may be a hundred hours more flying time, but they would not be had an opportunity.

Mr. President, there is one other item I wish to touch on, it's a little bit more off the beaten path of education, but I think it is one that - as far as the Cayman Islands is concerned I have the most or as much knowledge of the particular subject, and it is one which is very vital to the future of the Cayman Islands, and it is most vital to the tourist industry; and, Sir, that is the subject of proper drinking water on the seven mile beach. You made mention in your speech that Government are considering or is considering giving a franchise to a particular company to service the seven mile beach. Mr. President, we have a problem that if not taken into hand immediately has the potential to disrupt the tourism industry in the Cayman Islands. I say this, Sir, because a lot of - I should say, lack of foresight has gone into determination of the water situation on the seven mile beach. In the past six months, Sir, a number of condominiums were allowed to be built; the storage requirement as set out in the Development Plan, apparently ignored; we have proven above that condominiums are being built in the neighbourhood of ten thousand gallons storage containers with the hope that water could be provided to them from the local water company. Unfortunately, Sir, the present water company has fallen on hard times financially, and it appears to me that it is unable - I should say, it is a fact, Sir, that it is unable to provide the water needed.

In the past we were hopeful that over the Summer we could fill the storage tanks to near capacity, and it would provide us, hopefully again, with four to six weeks water supply during the Summer season. Unfortunately, with the longer winter months we have been enjoying, with the higher room occupancy we have projected over the Summer, it is now notable - I should say, it is now impossible to even fill the storage tanks over the Summer periods. As a direct result of this, Sir, I would say, with the coming of the 1978 tourist season most of the hotel associated buildings or plazas on the ocean side beach will have any water. And I will urge you, Sir, to take this matter into consideration immediately, apparently it's compounding itself from the point that the hotels find that their own production of water is a very expensive proposition, and they have been very negligent in making the necessary steps or taking the necessary steps to produce more water, to provide the storage for more water, and as an end result we will have no water in a very short period of time. I thank you, Sir.

MRS. ESTHERLEEN L. SYMONS: Mr. President, first of all I would like to commend you on a very interesting Throne Speech, and I take this opportunity to also express my happiness in hearing that you have an extended year with us.

I will speak briefly on a few points on education. I am glad to see that the Member responsible for education has taken the stand to review the educational system, because as we hear about the amount of remedial students in our school it causes one to wonder what is the problem? Is it the system of education, or really what is the problem? And I would hope that with the steps he has taken that this problem will be eliminated in the very near future and that we will not be having the amount of remedial students as we now have. The blame really for the amount of remedial students and the problems in our school do not, Sir, fall on the shoulders of us, but it is our duty if we see a problem to correct it.

Mr. President, I would like to speak here today on one problem that bothers me. We see you have made mention in your speech about garbage trucks, I for one am very happy to see that there will be one garbage truck for Cayman Brac, because they have never had one, and I think it was a necessity that this Island needed one as well as we needed it here in Grand Cayman, garbage was becoming a problem in that Island and I am very happy to see that they will be having some type of facility to eliminate this problem. But, Sir, last year we passed a Law here in the House, and I don't think that the Law has been utilized, and that was the Litter Law. I was a part of the clean-up - I have been very instrumental in the clean - up campaign, and it is very disheartening

MRS. ESTHERLEEN L. MEANS (CONTINUING): to drive along the roads now and see the amount of garbage collected all over our island again, and I would hope that this one garbage truck would help, and I would also hope that the police would help to use the law which has been made and passed by this House. Because, we as a Bahamas are trying to build ourself up as tourism must have a clean country, and if it continues the way it has been going I see that it will soon be as dirty as any other place. I would hope that the police would quit busy and start prosecuting people when they litter our streets and our beaches.

I would like to bring to the attention of the Member in charge of Health one problem that I have been confronted with, even though I know he has no control over this, and that is in the domestic area at the hospital. Many from my constituency have come to me asking, why can't they get jobs as domestic help in our hospitals, why is it given to expatriates? The thing that arises in my mind, Sir, they do not have to have too much training to know how to wash a sheet, these jobs are, on the majority of these jobs are occupied by expatriates, and I feel that our people should be given the opportunity to do these jobs. I am also happy to see that our operating theatre has been built on expanded and the physiotherapy department, but one problem I have brought up with the Member in charge of Health, and that was the problem of not having a doctor on the compound at all times. I was told by the Member that this would mean getting an additional member to the staff, but the question arises in my mind, if in 1967 when there were only two doctors on the staff and you went to the hospital you always had a doctor to attend to you. What has happened now when we have, I think five doctors, why can't we have a doctor on the compound and available to serve the public all the time? I do not feel that it is good that when you go there a telephone call is made to the doctor, he then tells the nurse what is to be given to the patient and the patient is sent home, better must be done, because the population has not grown that much since 1967, that we only had two doctors serving the island then, and now we have also with five or six doctors I feel that it should have twenty-four hours service at the hospital, and a doctor should be on that compound at all times. The public is not satisfied, and I as a Member am not satisfied.

Mr. President, I had decided not to say too much about the petition, but I feel as a Member, even if the public has been misinformed by people making problems it is our duty to communicate to the people to listen to their problems. It is my opinion, Sir, that the public is frightened because of the misleading statements that have been made, but at the same time we must listen to their grievances, we must appreciate what they have to say, and it is our duty to go back to them and explain to them what is really happening; which I think all Members of this honourable endeavoured to explain to the public and to assure them that the things that they have heard on all of the things they have heard are not true. We can only hope and endeavour that they will accept the information being given by the people they have elected and not the false or some of the false statements given to them by people opposing the Government.

I would also like to commend the Member in charge of Agriculture for his steps taken to seek money to help out the farmers in our country. I hope, Sir, that this will help to increase the farming in our country and that we will produce the stuff we need here in the country, and this will cut down on the importation of things I am sure, that we can grow locally.

It is encouraging as a young Member of the House for me, as I look back these eighteen months of what we have undertaken and I feel that with the achievements in the past we must go forward, we must not get involved, we must remain humble and keep on pressing that we can achieve even greater heights in the next two years that we have left in the House, that at the end of our time as Members of this House we can look back and say we have done something for our country that our names will go down in history of achieving something great for our country. I thank you, Sir.

MR. PRESIDENT: I think this might perhaps be a suitable time to suspend until 2:30 P.M. this afternoon.

HOUSE SUSPENDED AT 12:40 P.M.

HOUSE RESUMED AT 2:30 P.M.

HON. SALVADOR D. EBANKS: Mr. President, I too want to pay my tribute to you and to congratulate you on your speech from the Throne. I will have to join along in saying what this house has said and what people have said on the outside, to me it is one of the greatest speech that I ever heard delivered from the Throne, and I would also say, Sir, through that speech or by that speech I know that the majority of people in the Cayman Islands have rested better ever since that speech had been delivered, Sir. Because it has eased and allayed the fear of many a doubt that was in the people's mind.

In your speech you touched on development and expansion of all the premier fields, you also have enlightened the people to know what is happening, because they really don't know, some didn't, and some were believing what was said on the outside by a few that would like to have this Government down, that this Government wasn't doing anything and it was going down instead of up, but I'm sure that they know and they are happy and we are happy. Touching on the various fields, it goes to show that with the development, Sir, that this Government is really going forward, and I am proud to be one of the Members that is in it.

Touching on tourist industry, Sir, it is something that I always took a great part in, and I am very pleased that that is still on the up-swing, because to me, it is one of the greatest sources of income in the Island. It provides work for a lot of natives, and in doing so, Sir, it keeps a lot of our people on jobs and off of the street causing, may be problems. The thing, Sir, in developing for tourism, and as it grows it also means that we have to have more accommodation, which again touches the field of construction it's another main source of livelihood here, and it keeps the people well employed; so far, that is spreading out again. It also makes me very happy to see people being employed again, Sir.

I have to join in with what the Member from George Town said, about the water system, it is a serious matter and it is something that should be looked into right away, Sir. I don't think that we should delay it any longer, the matter should be gone into immediately.

With the progress of oil, trans-shipment and above installation at the Base, another great venture, I am proud and happy to know that it is developing fine and of the revenue that will be derived from it - the work again that will be there for employment - and all put together, Sir, goes to show one thing to the public and to the world, that we do have a good Government here, Sir. If it wasn't for this Government I'm sure none of these things would be developing today. And I hope it continues to be that way with your guidance, Sir, which I hope that it will be for the life of this Assembly and may be even longer. And I ask God's blessings on me and help us all, Sir. I thank you.

HON. TRUMAN M. BODDEN: Mr. President, first I wish to commend you on your Throne Speech, your leadership and stable positive approach to matters I feel sure that this country will move forward from strength to strength. I would like to deal with certain aspects of matters raised in your speech, and I will attempt to do so following the order that you have given your speech in.

Under the Caymanian Protection Law we have, I believe a Law which is vital to this community. However, as you have mentioned, the policy of Government is broadly that the grant of general registration Caymanian should remain in step with the economy as it expands. I believe is necessary, and I believe that when non-Caymanians get status they will realize that some of the controls which have been put on brought in under the Caymanian Protection Law are very important and in fact are vital to keep this country stable and for it to continue. I believe that, as has been suggested on the street from time to time, throw the doors of Immigration wide open is a drastic mistake. Within every community there have to be certain controls and performances to prevent persons who live within that country and have put a large part of their life within it, and the Protection Law, I believe fills that role. The policy has been now that the controls are normally placed when persons enter the country, and I believe also that it is much easier to correct a policy which may be too tight by easing it than it is to tighten a policy which has been too easy. In fact that type of policy is normally irreversible, because rights are vested

HON. TRUMAN M. DOPPER [CONTINUING]: and normally one has to be very cautious when attempting to affect those rights.

Further, I believe that the policy which you have stated will ensure that we continue our stable progressive growth, and it will continue to keep the type of atmosphere which is necessary for the investor and for persons coming to live within these Islands. There has been from time to time criticism of this policy, but this is inevitable, Mr. President. One of the questions I am always put to critics is whether they can point to any arbitrary decision made under these rules, and normally at that stage they must reply that they cannot, so to a large extent I believe that it is a confirmation of the small measure that one finds within a place.

The United Nations and the statement made by the United Kingdom representative at it on the 6th of March, 1978, I would hope now will put beyond doubt any rumours or any statements that what was attempted and what was stated at the United Nations when the visiting team of which you, Mr. President, were a member, went before the committee of twenty-four. I believe that the United Nations has at this stage gotten the message and that as Ambassador Hamilton put it, got it loud and clear that we are happy with our present constitutional status.

I dealt with Cayman finance under the resolution itself and I will not now deal with it, as I think I have substantially exhausted any contribution that I could perhaps make to it during that debate.

As I said earlier when we were dealing with the Petroleum Bill, the little Cayman oil turmoil is, I believe one of the greatest things that has happened to the Cayman Islands people and the economy. It is undoubtedly one of the largest contributions that this country will see over the next thirty years, and perhaps during all of its future. The magnitude of that revenue of a hundred and seventy-five million dollars over the thirty years I believe dwarfs all efforts made in the past. However, it is important that persons realise that this is a serious matter and that there are certain necessary ingredients for ensuring that this is a success and that it continues; one of them is political and constitutional stability, a lack of instability, such as demonstrations or threats of demonstration; there must also be good communications and a continuity of those communications especially to ensure the connection which is vital between the Sister Isles and the mainland and the oil world as a whole, and also that the necessary safety standards which have been put into that license are fully carried out. It can be known, but I believe within human possibility the controls which have been put in that license should be sufficient to ensure that there is no - or I would say, the least possibility of spillage of any oil in the water around these Islands.

The financial position in these Islands has considerably improved over the past year. We have seen improvements as you have pointed out, for, in a nearly a halfing or one-half/one of the deficit which was a balanced budget for the first in several years and we have also seen the hope that you have put in this, that we will come day soon within the next few years be able to look at revenue. Reserves, Mr. President, are very important for any country, and as soon as possible that we can increase to rather provide further reserves, I think that it is important that we should do so. When the oil agreement does go into effect and the other measures have, this country should have a very good surplus, and it must be prudent to ensure that the necessary reserves are kept and that they are watched on behalf of the people to ensure that they are not depleted irresponsibly. I am sure that the honourable Financial Secretary will make sure that when these revenues are set up that they will be guarded very cautiously.

Mr. President, Lord Bridge once said, that one can look out through the same bars, one sees the mud and one the stars. We have had responsible and unfounded statements, such as the imposition of land tax along with what I regard as the irresponsible coverage given to it by News Media without requesting facts, and this, Mr. President, was a very damaging statement and a very damaging publication of that statement. I would hope that in future when remarks are made which would damage this country that the News Media will be responsible enough to get all of the facts, and to ensure that if statements are made in a very bold headline manner that it will be a fact. It has been said, Mr. President, that the first duty of a newspaper is to be accurate and responsible; if it be accurate and responsible it follows that it is fair. I am asking that in future that whenever statements are made, that if there is a

HON. FRANKLIN H. BODDEN (CONTINUING): publication of something which is damaging, which is untrue, but by just within that same publication there will be a statement pointing out precisely what the facts of the situation are. Many of these statements, Mr. President, have originated beyond the persons who wrote them and have responsibility also lies on those people.

We have seen Merrill Lynch put faith in this country when it undertook to involve, and we just participate in the Loan consortium for the Cayman Energy Limited project and undoubtedly this has been a great shot in the arm for us as far as a help to the country and the reputation goes. Also the commitments referred to us, I think as a capitalist paradise, and once again has stated facts to the world which I believe are helpful to us and which are a true position of these Islands. I think it must certainly be a surprise for those few, and I stress, few persons within the financial community, some of whom have proclaimed that there would be a lack of faith in this Government. Now that these views have been swept away by the faith put in this country by the Financial giant Merrill Lynch, I would hope that those few persons will not continue to give such unfounded opinions to overcome and investors. It would seem to me that with our reputation and the large injection of capital into these Islands as well as the loans which - on the loan that was made to the Government even the last year that there could be no reasonable, logical or fear justification for any remarks of lack of faith in this Government. Banks have increased, companies have increased, the economy has moved upwards, our budget is balanced, we have reduced our deficit that, Mr. President, to a series of facts and they are facts which point only or substantially to a reason, and that is, that the investor puts faith in this Government.

I call on the financial community to continue to help build and improve this country, we need their help, and it is vital to our continued development. I also pledge reasonably and necessary response and help to the financial community, the chamber of commerce, the private sector, and especially those involved in the building, retail, tourist and other related industries, and I request their continued help and support to build this country. Without the support from the private sector, then we will never have the strength which comes from the unity and the joint aims of both sectors.

The Civil Service is one of the largest areas of employment in these Islands, and I am calling for an understanding and unity, support and help from them. Both the elected Government and the Civil Service needed a period of adjustment. I believe, Mr. President, that period has now been well spent and it is in the interest both of the service and of the Government to move forward with joint aims. I believe, however, that it is going to be necessary to improve the certain aspects of the Civil Service and one of these especially is perhaps to have a close look at the personnel side of the Civil Service. I believe that that would be fundamental to improving the service. It is much easier, Mr. President, for the Government and the Civil Service to move together and work within their own spheres and with the responsibilities delegated to each of us if we do it jointly. I naturally am very cautious in advocating this as I do not believe that either the Civil Service should try to the powers or the areas of responsibility of the elected Members run riot-wise. The strength must come, Mr. President, from unity and working within our own spheres but with the necessary co-operation which is inevitable and which I think would be good for both sides of the Government to work with.

You have now me very recently the different areas that we hope to improve matters within my portfolio and I would touch just briefly on a few of these. Ultimately I believe that a system of housing on long term finance and with low interest rate has to be brought in to ensure that persons who are less fortunate financially can get the necessary basic requirements which I feel that this community owes to them. However, I believe that this must be brought on with a sense of self-help and a sense of contribution towards that endowment by persons within that financial bracket. To give something outright has its appropriate place but when it is abused it can lead to disorganisation in order to help. It is an ingredient of stability and this Government appreciates this to ensure that everyone has sufficient of the basic necessities.

HON. THOMAS M. HUBBARD (CONTINUING): A person who is a land owner and a home owner is normally someone who has something to lose and it is only rare that problems come from that type of person. Problems ultimately can creep into this society if there are people within it who have nothing to lose as a result of extreme action.

Employment is moving upward and we would hope that as this increases there will be a new hope and a new vitality injected into the Island and persons who may in the past have not had the full extent of employment which they were capable of having will now be able to do so.

The National Council of Social Services is responded, as you have mentioned here, as vital within the community and I would hope that working together we will be able to develop this and extend it.

The joint agreement on the fishing project between Belize, Turks & Caicos, Jamaica and ourselves has been dealt with by the Member responsible for that portfolio. However, I believe that with the market for this whole project being in question we made a wise decision when we decided not to continue with that specific project. However, as he has pointed out we regard it as extremely important that we develop the local and basic industries in these islands and every effort will be made to fill that gap with something that is realistic and which will not bring us into international contact with a venture which may have been a failure.

Under Finance and Development and the new legislation that is being brought in, I think it is very important now that the Government has voluntarily gotten over the long periods of negotiations on the oil and dealing with Cayman Airways that we now put a large part of our effort towards the shipping and insurance legislation. I know a lot of effort has gone into this by the Members of these committees and I feel that at this stage Government as a whole, when I say that I mean the remainder of us who are not on the committee should help as far as possible to bring this legislation to fruition and also to ensure that the necessary business which must follow with it must then being. The financial centre I believe would welcome both of these pieces of legislation and I believe and I hope that especially with the insurance legislation we can build a market in this as we have done in the financial side. Bermuda has undoubtedly excelled in this the way we have excelled in banking, but I believe that there's always place at the top if we work it right.

Mr. President, I made a policy statement, albeit an interim statement some weeks ago in relation to education and I don't propose to labour it in this House at this time. It does take time, however, to analyse and to find solutions to the complexities of the educational problem. When you are dealing with people and especially with children it is better to move slowly but surely so that the ultimate fruit or the ultimate achievement is one which can be long term and can be a permanent answer to the problem. I believe as I mentioned in it that the regionalization of schools as a whole but especially the primary schools is a necessity. I'm also now working towards dealing with or setting up a Lower school including in it hopefully a marine school and I will endeavour to extend and further develop the Community College. It is well known that one of the first steps that was taken was to sever our agreement under which we would administer the Caribbean Examination Council's examination these islands. As far as financially possible we have tried to ensure that persons who qualify for scholarships and loans to further their education have been able to get them. However, it is very important that students understand that they should acquire a good basic education and the necessary education to get into good institutions prior to applying for scholarships or loans. Into these scholarships we have attempted as far as possible to have these placed with a very high priority or tearlume. I believe that this area must be given one of the highest priorities if we are ever to raise the basic education within the Island.

HON. TRUMAN M. BODDEN (CONTINUING): I have taken note of what the Members have said in relation to education and the hospital and the social Services. I hope to have the new Litter Law brought into the House at this next session and I agree that the keep Cayman clean campaign is a very vital and fundamental part of ensuring that visitors who come to these Islands come back at a later stage and repeat their stay. The Public Health Law is now undergoing study and I would hope to have a report back on this perhaps not in time to deal with it at the next Assembly but the one after that.

I would like to see doctors on duty at the hospital twenty-four hours a day. However, it is a question of economics and I have been and I will continue to extend the time at which doctors are on duty as far as possible. However, it is one which is substantially in the hands or partly in the hands of the Finance Committee as to whether we are prepared to add several more doctors to the staff, or whether perhaps with an extension during the critical hours of the night, say up to ten or up to midnight, that that may perhaps sufficiently broach the gap until the day comes when we can have doctors on duty full time. But I would endeavour towards this and I will further take this up with the head of that department.

Mr. President, the policy some years ago which dampened interest in the building of new hotels and tourist related resorts in these Islands, I believe was one of the most, I would say drastic mistakes that we made. Once the multiplier round of finance has been cut and you get an injection of negativism into any area of finance and trade it is very difficult to change people's way of thinking and produce a positive result quickly. Perhaps there were reasons for this which perhaps I do not foresee now, but I do believe that whenever we take steps which would seriously dampen any area of trade we have to look very cautiously at the long term result of it. Interest is something that is easily regained when it is towards Luxury finance such as one has to inject with hotels and large apartments. So that I believe this Assembly has to bear with this progress, or in fact I would say the progress which is slower than I would have liked to have seen in getting this moving back up to the full pace. It was back about four or five years ago. However, I believe that this is now on it's way and it's somewhat slower than we expected.

Approximately twenty-nine percent of the capital expenditure for these Islands was put into Cayman Brac and Little Cayman. I would hope that the persons living in these Islands will realize, and I'm sure they do that this Government has taken a less selfish approach towards spreading the revenues of the Islands across there. However, they should, I think appreciate that they have to be patient, and I believe that during the term of this Government all of us will make sure that they get what share is fair and reasonable from the revenue. I believe and perhaps I'm somewhat alone in these Islands here none of the other Members in that I travel there reasonably often that perhaps in the past they have been partly neglected, but at least we have started off on the right foot as far as they are concerned and I hope that they will appreciate this.

I wish to thank Members of this House for their support and understanding in 1977 and I would ask for their continued help and support throughout this year and in the future. Mr. President, I would also adopt the saying that the Honourable Member for West Bay did in quoting the last paragraph of your throne speech, and Mr. President, I believe that this is perhaps some of the wisest and best guidance that this House and a Government has seen for many years. When you said that it remains for me to express the hope that with Divine guidance Honourable Members will continue to exercise the wisdom inherited from their fore-fathers and guide this country with sensitivity respect for public opinion and with the love and pride of experienced sailors on a well founded ship. It always lies with Honourable Members to observe the winds and to trim them to suit the wind, 1978 is set fair. Thank you, Sir.

HON. JAMES M. HODGE: Mr. President, I was hopeful that I would have until tomorrow morning to get ready, but apparently somehow or the other I could not move that.

. . . Mr. President, I think God that every man on here knows and realizes the accomplishments and the mistakes of the past year. We are all cognizant of the fact that primarily in our midst we have had people going around and I would like at this time, Sir, to quote to them Acts 20 verse 31. "I ceased not to warn everyone night and day with tears". We have had a lot of tears being split and somehow between now and tomorrow afternoon, God's willing I hope to let them shed some more.

Before I go much further in my debate, Mr. President, I would crave of your indulgence to allow me occasionally to read from some notations which I have prepared. The reason being that it is very difficult to keep these in the context in which they should be and very difficult to remember all of the figures, but I will try to keep away from that as much as possible. I too would like to join with the other Members in paying tribute to yourself and my respects. You have given us during your term of office many valuable lessons. You have taught us, particularly, I think Haig and myself a little bit of diplomacy. I will admit that probably both of us need some more schooling in that matter, Sir. But I am very thankful, Sir, that the home office has listened to our wishes and has extended your stay for another year. I hope that that year and however much longer it will be will be as bright as you as it has been during the past part of your stay. And should we not be successful in having you stay on for a longer period I would hope that when your time comes to leave that you will consider coming back in our midst and taking up your residence here as a private citizen. I feel that many people in this country would be very, very thankful to see that done. I can assure, you, Sir, that we will endeavour to do our best to keep a former Member of this House and his small group from carrying at the airport not to allow you to land, in fact I think all that notice we would probably try to give them a little trip.

Mr. President, it seems to me that the self-styled opposition that has crept in our midst are behaving very much in the words of Disraeli "It is easier to be critical than to be correct". They have continued to carry area where this administration has been elected to criticize, particularly in regards to some of the policies under the Opposition Protection Law. I would like to take my time and relate this to the House because this was one of the first things that we attempted to do something about when the administration was changed. We at this time consider that we still need some administrative changes and that the overall policy may have to be looked again in view of what is best for the country, but we must remember one thing that our school leavers, and we are beginning to get more and more of them every year and it is very difficult to try to place them in any jobs in middle management because they do not have the background for it, these people coming out of the schools must start life like most of us have done on the bottom rung of the ladder which means that they're going to have to take some of the domestic jobs and some of the very unskilled jobs. It is impossible for this country, Government-wise or even from the private sector to provide further education for all of them. Everyone, I think is doing their very best to see that as many of our youngsters as possible do receive further training abroad, but these school leavers in a quest for a livelihood, as I have just mentioned, to begin on the bottom rung in order to provide sustenance for themselves and their families.

Not being cognizant of that we have had to control those particular areas. We would like if possible to have been more lenient knowing what has been given to most of us in the past who had to travel abroad to make a living, but it is just impossible to do so. We have tried very hard to also go the other side of the fence in regards to the professional areas and the work permits which they need. It is now possible for anyone in the administrative or professional fields to be able to obtain these work permits.

HON. JAMES M. BODDEN (CONTINUING): We have eased up the administration in regards to persons married to Caymanians or persons who have ~~become~~ from Caymanians so whom they are now given preferential treatment whether the quota system for permits and status is filled or not. I will also admit in regards to that, Mr. President, that in some cases administratively that has not worked as efficiently as we would have liked it to be. People who are married to Caymanians may now remain in the Island irrespective of whether or not they have received a gainful occupation license or if it is lapsed it is now impossible for them to do that in the past and this should go a long way to alleviating some of the conditions that have existed. Persons on residency permits may now under the regulations make investments in a company subject to the provisions of any existing legislation and that the holding of a directorship in such companies shall normally be permitted without a gainful occupation license unless such directorship involves day to day management. This was something again in the past that was not able to be obtained, everyone had to have the work permit. Another thing that has been eased on it is that persons who now have duplexes and wish to rent them can do so without obtaining a license for that. In the past you could not even rent one part of the building without having a license. We have increased the quota for Caymanian Status from twelve a year to forty and in addition to that, Sir, realizing that there is a back log of probably nearly three hundred by this time we have put in an additional quota which allows them to be dealt with thirty at a time. We had hoped that by the end of this year we would have completed that and all those who could obtain Cayman Status would no longer be in doubt but would have obtained it. Due to certain difficulties in the administration I think it has become quite difficult and that may not be possible, but we would like to assure everyone that we are not going to ~~anticipate~~ do anything that will affect their well being. We feel that it is necessary to do this, although in some quarters we will get criticised because they will tell us that it is too many people to allow in in one year, but we must remember this, that these people are already here, these are people who have played a vital part in many industries in the economy of this country for years and we cannot allow them to be dangled any longer wondering whether or not we are going to accept them. We must accept these people in the same manner in which a lot of us were accepted when we went to foreign countries in the past. We have had to insist that a part of the granting of work permits is the training of local employees. But here, Mr. President, I would sound a bit of warning and that is that all of us must look on this very realistically. We have got to put/ assistance in regards to the training of our people. Government of itself cannot do the entire thing. We must ask these institutions to try to upgrade their present Caymanian employees as fast as they can and try to assist them to get into position where they can take the higher paid jobs, but along with that we must be realistic and not expect that a company is to train a managing director in six months. I think this is a part of the policy and I blame it at this point administratively that it will have to be directed to be changed. This is one part of the criticism that has been levelled that I agree with. When it comes to the lower categories of employment I can agree with the limitation of probably six months to a year, but I do not think that it is worthwhile for the growth of the country to try to limit people in the professional categories to a six months permit. However we must remember, Mr. President, that the future is purchased by the actions of the past and the present.

This past year the Legislative Assembly acting on the Development Plan, the Planning Law and Regulations and the Planning Statement. In doing so, Mr. President, we removed something which had hurt this territory a great deal. It had stagnated the growth of this country and it had put this country in the position to where it had lost a lot of the faith of the foreign investor.

HON. JAMES M. BURDEN (CONTINUING): We honestly in tackling this accepted the theory that it is better to make one's own mistake than have the right decision taken by someone else, and thank God, Mr. President, that theory was vindicated completely by the achievements of this country. Because although thousand of Canadians had been standing over the people's head for many a year, when it was removed the people accepted and they were very helpful because we as the Members of this Legislature went to the people and asked and requested their input into the Development Plan. So at this point we can truly say that the Development Plan is a Plan of the people and they should be in favour of it. The vacuum under which we existed during the time that this plan was shelved it caused great gloom and depression and seriously in many respect hampered the future development of this country. But I am thankful, Mr. President, drawing on a part of your speech that that faith has now been restored locally and abroad. If anyone should doubt no they would only have to look at your speech and looking at the amount of applications that have been approved in 1977 amounting to 74.7 million with an overall increase over 1976 of a hundred and forty-seven percent. We also, Mr. President, only have to look around us to see that the construction business has improved to where it is nearly to the point of its previous stable levels. During 1978 we should begin construction on three hotel projects which are now under consideration and which I understand have been given approval in principle by the Planning Department. Finance plays a very important part, Mr. President, in this type of construction, because unfortunately as much money as it is talked about that moves through this economy there is very little of it that actually stays into this economy, and very little of it can be obtained even by the foreign investor to put up investments in the nature of hotels and apartments which are considered to be very viable projects. Under consideration at this time by various investors are several apartment projects and in the business area and the private area of this city we find that people are building again and we find that we nearly have full employment in the construction trade. By the end of 1978, I would hope that a point would be reached to where this country will be enjoying full employment.

Now, Mr. President, in the past various Members of the different Government departments advocated a moratorium on hotel and apartment buildings. This in my opinion was very detrimental to this country because if we take the natural tourism growth by the end of this year should be and have upwards a hundred additional rooms to offer the tourists this country is going to be suffering as far as tourism is concerned. We must remember that when a person has planned his visit to this country, has gone and put together the money and is on his way to this country then when he comes here and cannot find a room we're not only losing that tourist, we are losing the many more that he is going to be talking to when he goes back to his homeland and this is why I will say that in the past I think an action was made that never should have been made because development should have been left alone to move on line like it's natural course particularly on the ocean side where we see whether we could have gotten hotels and apartments built in that area. There were people, Mr. President, advocated that all county land should be owned by Government to preserve the ecology, I will not stand here today and try to say anything against or anything in favour of ecology because I happen to be like the Member from Bonavista North - we may honestly spell the name, we do not know that much about it. But, Mr. President, in the name of ecology this country has been destroyed. It has hurt in many areas of this country where people suffered just because of the beliefs of a few people. We must be very careful in regard to many land that a lot of our land in this country has been sold to foreign investors. In many cases these foreign investors own that same land and have we have just about two Members of Government who are very influential in the past administration that are able to have their say as whom this land was actually taken away from and be considered to be in many cases the illegitimate owners.

HON. JAMES M. BODDEN (CONTINUING): These acts people, Mr. President, put forward an idea that had misgivings by foreigners that the value of the same should be stabilized to the speculations by the unknown investors. I cannot accept that this was correct and I'm saying now that it's a good thing we had a change in administration, not just in regards to the Development Plan, but even in every other aspect of Government. Because when you have what is considered as to be a free democracy and thank God this is what we pride ourselves on having here. We cannot get to the point where we take a man's land away from him without compensation or we stipulate the value of that to such an extent that it has no more value. People will say that in some manner they still own it, but what is the use of owning something if it has no value and you cannot trade that for value.

Our country without a doubt, Mr. President, was headed to a mild form of socialism and the curtailment of the free enterprise system which we all love so dearly. But drawing again from your speech, Mr. President, it is now borne out that this trend has been changed, because in 1976 this Island obtained in customs duty four million, five hundred and sixty-four thousand and seventy-nine dollars and eighty-eight cents C.I. In 1977 we collected five million, one hundred and forty-nine thousand, nine hundred and six dollars and sixty-four cents. This is a fair increase particularly in view of duty waivers and so forth that we have given which I will touch on in a later part of my speech. But this figure alone proves, Mr. President, that the action on which this country embarked after the November the tenth, 1976 election was a correct one regardless of what some of the critics will say. I know, Mr. President, that a few of these people will not acknowledge this for they have been in darkness so long that even with the help of the Glow Club in removing the cataracts and the enlightenment of this administration they will continue to remain blinded.

Mr. President, in tackling the Development Plan, in tackling some of the other areas that we have tackled since we have been in office we have abided by the words of Emerson "they can conquer who believe that they can". 1977 saw the U.K. minister to these Islands who, in my opinion was a very good thing because it proved to the U.K. itself the mood of the people of the Cayman Islands. By them coming here and seeing for themselves it did more good to us than if the representations of the U.K. Government had stood in the halls of the U.N. for the next hundred years and whatnot. Because when you have once seen you can believe, or that is most people will get to that point. But this mission, Mr. President, did go a long way in making those of those who said that we had invited them and that we were going to take the Island into Independence with the help of the U.K. There should now be no doubt in the U.K. and in the U.S. and in Grand Cayman as to the stand of the people and I was very pleased to have heard the forceful way that you brought this out in your speech. With your able assistance, Mr. President, and the help of the elected representatives of this House, the final and Second Elected Members from George Town you were able to put our case very forcefully in the U.N. in New York and this is something that I feel the three of you in particular should be thanked for for many a year to come. But, Mr. President, the evil forces were at that point was still at work and to thwart our work for the country at that time some of the benighted citizens that live here tried to work against this. In doing this, Mr. President, it brings to mind to me the words in the good Book at Numbers 22 and 28 "the Lord opened the mouth of the ass", but in this case, Mr. President, I do not believe that it could have been the Lord, it must have been the devil.

Mr. President, in the year 1977 we were very pleased that shortly after this administration began we were able to bring to fulfilment the signing of the ship to ship oil transfer operation in Little Cayman, and that this year in 1978, so early in this year that we have been able to sign a contract for the erection of the Little Cayman Oil Terminal.

HON. JAMES M. HOUSON (CONTINUING): Mr. President, this is something that should have been done many years ago because it was offered to us, in fact I think in 1973. We can only be thankful for the tenacity that was displayed by Capt. Van Gray and his group because, Mr. President, I remember from the first trip that these people ever made to this Island, how interested they were in seeing that this should come into being. But due to tradegy, I imagine, the next administration could not see fit to go into this; this, Mr. President, will probably prove to be one of the biggest boons in the history of the Cayman Islands. Now I am not here, Mr. President, to say that I believe anything in connection with this oil terminal will be good, because every time you have good you must have evil and there's going to be many a times that we're going to probably scratch our heads and wonder what the next move will be. I know that it is also fraught with a lot of danger, but, Mr. President, if we should sit down and wonder and worry about them things we will be sitting for many a year and nothing will happen and we will worry ourselves to death. So the only thing to do is what we have done, take a calculated gamble and proceed with it. And by taking this step, Mr. President, during the length of this contract which is thirty years this should provide a minimum direct revenue to Government of approximately a hundred and seventy-five million dollars as you quoted in your speech. But, Mr. President, this could even exceed this and the royalty payments should amount to probably at least four hundred million dollars during this period. Even taking the minimum over the next thirty years and averaging it out, Mr. President, it works out to about nine million dollars U.S. a year and this is a lot of money to be coming from one operation from which we have invested no money. I think that we have a very good deal in this contract, it is true that all contracts are no better than the people behind it, but I am certain that we have plugged nearly every loop hole that could have been found in that contract. I just spoke about the direct royalty benefits to Government, we must also, Mr. President, think of the indirect benefits which will accrue to this country such as donations, wharfage cost, custom duties, wages, stamp duties, airline fares, hospital fees, purchase of stores and supplies, hotel accommodation, banking charges, legal fees and the establishment of ancillary businesses as well as the money that the merchant seamen themselves will spend, and I am sure that if it was a correct way of calculating this, we can estimate that over a period of the next thirty years at/the billion dollars U.S. will probably flow into this country or into these Islands from this business. This is a lot of money in any man's language and should go a long way to making this Island self-sufficient.

This action, Mr. President, will firmly establish on the world shipping and business maps, the Cayman Islands, particularly the Islands of Little Cayman and Cayman Brac, and it should provide full employment for our people in a field that they know quite well. It will be a source of much pride to us to be able to know that a lot of our people who are now away will be able to come back and find employment in this facility. I am very proud, Mr. President, to have been able to help negotiate this contract for I am very certain that in the years to come this document will be enshrined in history.

Mr. President, I think it is fair at this point in my address to point out that our Attorney General, the Honourable David Ramsbotham in my opinion in recognition of the able work that he did on this contract and the house that he put in in doing this that at least we should bestow on him honorary Caymanian Status if nothing else.

In regards to this, Mr. President, and getting at our critics one more time I would like to quote the words of Mark Twain, "They had only one virtue, they thought they could give advice better than any other person".

HON. JAMES M. MILLER (CONTINUED): This is what has happened with the critics of the terminal in Little Cayman in the same manner as they acted in criticizing the other moves that have been made. But we have not stopped, Mr. President, the wheels of progress sometimes grind very slowly but along with this in the near future although this is not under my portfolio I happen to be a member of this committee and I will touch on it, we are very hopeful that we can bring into being the new Maritime Law and the Ship's Registry.

Mr. President, I was saying although we have accomplished a great deal in regards to the Oil Trans-shipment Terminal in Little Cayman that we have a lot more to do and that I am referring to is the Maritime Law and the setting up of a Ship's Registry. We are quite aware from the discussions that we have had from the people who were sent from London to assist us that it will take quite a time to get this done, it will probably be a strain on the general revenue of this country for the first year or so while it has its teething pains and goes through them, but eventually, Mr. President, it should be another means of oiling the wheels of progress and firmly establish us in the outside world as a very stable and dependable country.

Going back to the year 1975. In that year Liberia took in a general revenue from the registration of ships, fifty-five million U.S. dollars. Panama in the same year took in seventeen million dollars U.S. With the contacts that we have abroad, with the manner in which this country is looked on in regards to the tax haven aspect and the stability of the country it is fair to assume that within three or four years of us having this law into effect the general revenue of this country should be enriched by probably as much as eight or ten million dollars from the registration of ships. Once this is done, Mr. President, it is fair to assume that the lot of the taxes which are now borne by the man on the street could be alleviated because by bringing this into effect it would mean that customs duties in some areas could be reduced, particularly in the food-stuff line and this should be passed on directly to every person in this country. These are the things that can be accomplished if we keep our shoulder to the wheel and push for them. But to conclude, Mr. President, our projected plans before 1980, God's willing we must also bring in suitable legislation to enable us to establish our International Maritime Academy; this will allow our young men of today and the young men of tomorrow to follow in the footsteps of their ancestors in this country. It will provide them with good jobs, with good incomes, it will provide stability and sound political awareness because by doing this, Mr. President, our people will be able once again to associate with people throughout the world and to see how they live. I am a very firm believer that what has helped this country so much in the past is because of the knowledge that our seamen gathered by travelling all over the world. If we had been an insular population that had just stayed here on this little coral rock, Mr. President, we would probably have been by this time having some of the growing pains that the other countries have had and would be suffering from them.

HON. JAMES M. BODDEN (CONTINUING): But by our people being able to travel abroad and learn how people live in other countries they have been able to sift the bad from the good, and thank God in most cases they annotated more good than bad. And today when these same people are thrown into contact with people from abroad regardless of whatever walk of life it is or regardless of what country they come from that person in Grand Cayman or the Cayman Islands rather can stand his ground and be an equal. Equality is something that means a lot to every human being and when the tourist comes in here today and sits at the table at one of the hotels with one of our local boys who may not have had the chances in life that that person has had or who may not have accumulated the money that that person has had but he feels himself an equal because he has probably lived in this country, he probably knows more about this country than the individual he's talking to and this is the thing in the long run that will keep us on a very stable course, Mr. President. Further than that it would be a means of our youngsters even more enjoying and having the pride in the motto which is on our crest and that is "He hath founded it upon the seas". It is very important in my opinion, Mr. President, that we try to get to this stage in our development as rapidly as we can. It pained me some time ago to have spoken at the High School, and after I was through I asked the class who the various members in that class would want to do when they go out in the world to work and out of a group of about sixty there was only one young man that held up his hand and said he would like to be a merchant seaman. I think considering our point that when we get to that point it is time for each and everyone of us to stop and think. I know the life of a seaman is a very hard one and I am not advocating it for a profession, but I do advocate it to think that it does give a moral foundation for a young man to build his future life on.

Mr. President, our critics have said that the Treasury is drawing in red ink. These and other such statements have proven to me their irresponsibility and just how far this group of people will go towards destroying this country. They should realise, Mr. President, that these statements are heard by investors who study here on visits on the papers and the magazines go abroad, and many people who now have investments in this country will/thinking about removing them if this type of talking continues. These people are not hurting the twelve elected Members in this House, they are hurting the fourteen thousand inhabitants of this country and those who are yet unborn. This is why it is so important, Mr. President, that we try as soon as we can to make into law the Mental Health Law because I do believe that some of these people would need treatment. This is very detrimental to this country, Mr. President because geographically whether we want to accept it or not we are considered a part of the West Indies, an area that recently has not been known for it's enlightenment and the stability; this is unfortunate but as my colleague from Bodden Town said some time ago about Bermuda "it was there in the middle of the Atlantic and you couldn't box it away", this same thing is true about Grand Cayman. A lot of people abroad tie us in with the upheaval of the West Indies that are going on day by day in some of the other countries. They have not been here, they know nothing about us and they think that they're going to find the same thing here, crime, violence, instability in the country. And this is further fostered when publications print this and many of us already I am not particularly blaming the publications for doing so because we have to have a Free Press, but I do blame and criticise the people who make these irresponsible statements. They must realise, Mr. President, that our economic base in this country is tourism and the financial centre and both are very fragile and a base that must be protected. Mr. President, this is why we have no diversify our economic base, this is why we have tried, but it is going to be very difficult and probably we will never have anything else but tourism and the financial centre as a main economic base.

HON. JAMES H. HODDER (CONTINUING): And this is why the yield is so great to this country that we must do anything within our effort and spare no effort to help these two economic bases.

It is true, Mr. President, that Government and these industries have experienced growing pains, some cases accompanied by groans, but with level headedness on both sides these problems can all be worked out, and they must be worked out. It is my belief that these industries are already realizing the importance of joining with us in having continual retraining and educational policies geared to local employment, and in turn we realize the importance of having their expertise. That is why I began in my address by saying that I considered it was very important in the regulations under the Canadian Protection Plan that we do allow three/four weeks permitted and we have done so to professional people. We must realize that it takes years and years of hard work to put any man to the top and we cannot expect to train a replacement in six months. We have to have the expertise of the people who hand these companies or people will not have to invest in them. But along with this, Mr. President, we must ask them to join with us in an open arms policy with a view in view and not an engagement; this is a phrase I have used many times in the past in platforms throughout this Island. I consider it a shame when a business comes into this Island and they do not think of what they can do to assist the Government and the local people in making their lot a little bit better, but only think of what they can take out of the country. That is a point, Mr. President, that can only lead to problems in the future and that is why we must stress at all times to the financial institutions and to the people in the business business, that they must look on this Island with a view to longevity, with a view to a marriage and not just the engagement that it has been in the past. We have the best and the finest country in the world and we must survive to keep it that way.

In my opinion, Mr. President, people must stop just for the use of politics alone making statements that this is an unstable and a bankrupt Government and that the economy is dead, the Island is finished. The people as a whole, Mr. President, know differently and they no longer believe this group, but as I understand general terms in dealing on this particular problem, Mr. President, it's the effect that it has abroad. I would have to quote to these people at this point, Mr. President, the words in the good Book in Ephesians 4 and it, "these people are carried about with every doctrine whereby they lie and wait to deceive". It is so true. That came to mind when I was preparing this speech, Mr. President, because some of these people are like leaves on the fig tree, very little say that the wind blows they change their direction.

Mr. President, we have created responsible leadership in this country and that was amply described in your speech but I would like to stress at this point, Mr. President, that that would not have been obtained by just the elected members. We had to have the assistance and the able management of the Financial Secretary and that is what made it possible, other than that, Mr. President, we would have not have been debating such a beautiful growth picture that was seen in the Throne Speech. But along with this, Mr. President, I would like to stress that the only steps that have ever been taken to decrease taxation in this Island has been taken during this administration. In the final instance the first thing that was changed, Mr. President, was the famous motorcar Jeffrey tax, this as we all know stood at thirty-three and a third percent on the importation of an automobile. Shortly after this administration took over one of the Members who I'm pleased to associate with, the Member from East End moved a motion into this House to reduce it to twenty-seven and a half percent. If it was nothing else that could have shown the people the attitude that existed in this House now instead of in the past it would have been that motion.

HON. JAMES H. SCOTTEN (CONTINUED): However I would only just look back and think what reaction it would have been in this House if that motion had been brought in 1976. This is what I think should be no motivation to our people, when they are trying to build up opposition where opposition does not exist, is to come into the chambers of this House and for once see that this side of the House is not continually fighting that side of the House or that side fighting this side. It is only those people who make themselves into that position that this can be said about, Mr. President. It is true none of us are perfect, it is true we will never have the perfect Government, but, Mr. President, that does not mean that we have people that would try to undermine like Semmens would into a position when what is going on in Government. And this is why, Mr. President, I always do agree, that to look at this House today and to see that motions can come from that side of the House even to the point of decreasing taxes and it can be passed due to co-operation, this is what makes me feel real good about what we have existing today and this is what the people of this country should be proud to know exists.

Since that time, Mr. President, we have had the waiver of customs duty on the trade and embassy supplies, we have had the waiver of customs duty on all agricultural implements and materials and even in this sitting of this House we decreased taxes again by giving a waiver of a hundred dollars, C.I. on personal expenditure for any person coming back from a visit abroad regardless of how many trips in one year it is. This is something that is in very few countries of the world today, even the great United States might next door to us who's a very wealthy country, they only allow their citizens a hundred dollars U.S. from one time to if I'm not mistaken. I think it is limited to once every six months, we have not been for it to do that, we have our it straight across the board.

MR. PRESIDENT: I am afraid it is now four thirty and under Standing Order 16 (2) I have to interrupt proceedings. Any unfinished business is automatically carried over to tomorrow's proceedings.

ADJOURNMENT

MOVED BY HON. D.A. FOSTER

HON. PROF. JOHNSON: Mr. President, could I just notify the elected Members of this Honourable House that at the end of this meeting of the Legislative Assembly I would be grateful if they would meet with me just for a short while in the Committee Room. I would like to meet Finance Committee to discuss a few matters.

QUESTION PUT: AGREED. AT 4.35 P.M. THE HOUSE ADJOURNED UNTIL TUESDAY MORNING THE 11TH OF APRIL, 1978.

STATE OPENING AND FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON ~~TUESDAY~~ Tuesday, 11th APRIL, 1978.

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.M.G. (PRESIDING)

GOVERNMENT MEMBERS

HON. O.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, OBE., JP.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. SOLOMON	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. BALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHER(GREN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE H. BODDEN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN.
MR. HADDON EBANKS, JP.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE.
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ABSENT - CAPT. KEITH P. TIBBETTS, JP.

ORDERS OF THE DAY

TUESDAY, 11th APRIL, 1978

7. QUESTIONS

MISS ANNIE R.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER

NO.1: Will Government state -

(a) The amount collected from Revenue for the period End January, 1978, to 25th March, 1978, and the amount of Expenditure for the same period?

(b) Why is the Import Duty down 12% on imports arriving? Are less building materials being imported or foodstuff?

NO.2: Will Government consider the amendment of the Customs Law to provide for the collection of Import Duty, for Free Port Establishments, such as Perfume, Crystal, Jewellry,etc., at say 6% in order to help defray the loss in other importations?

8. CONTINUATION OF THE DEBATE ON THE THRONE SPEECH.

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FIRST MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON TUESDAY, 11TH APRIL, 1978.
10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE H. BODDEN CONSTITUENCY OF GEORGE TOWN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER

Will Government state,

(a) The amount collected from Revenue for the period 2nd January, 1978 to 25th March, 1978, and the amount of Expenditure for the same period?

(b) Why is the Import Duty down 12% on imports arriving? Are Loan building materials being imported, or foodstuff?

ANSWER:

(a) Revenue $5,616,383.91
Expenditure $2,110,353.38

(b) Import Duty is down in the area of building material. The particular item is cement which fell in the first quarter of 1978 by 40% below the same period in 1977. The short fall is equivalent to 821 tons or 16,420 bags.

2. Will Government consider the amendment of the Customs Law to provide for the collection of Import Duty, for Free Port Establishments, such as Perfume, Crystal, Jewellry, etc., at any 6% in order to help defray the loss in other importations?

ANSWER:

The Fiscal Committee at its last meeting in 1977 considered a number of duty free items carried by the local Free Port Establishments and decided not to make any specific recommendations at this stage. Free port shopping is still an attraction to tourism in the Cayman Islands and great care must be exercised not to disrupt the traffic. It is seen that the advantages of operating a free port system still out-weighs the proposition of re-imposing duty on the goods. The matter will be discussed in the Fiscal Committee again this year.

MR. PRESIDENT: If there are no supplementaries, we can continue with the Agenda.

CONTINUATION OF THE DEBATE ON THE THRONE SPEECH

HON. JAMES M. BODDEN: Mr. President, I have decided to cut my debate short, for so that we can try to finish today and I will only be using a few extracts from the Report which I have prepared and then I will lay it on the table, Sir.

I am going this morning direct into the CAL Casino deal and I will have to ask your permission, Sir, to please allow me to read from a few pages that I have here.

Much has been said on the platforms throughout the Island concerning the Bermuda 2 talks. I'm going to read from docket 30080 entitled CAL 1003 placed before the FAM Washington, and here's an extract from that.

HON. JAMES H. SCHEUER (CONTINUING): "In connection with its initial authorization and in a foreign air carrier permit investigation CAL was unable to submit evidence that it was substantially owned and effectively controlled by citizens of the U.K. and the ownership and control requirements were waived by the Board. In connection with its initial authorization and in the foreign air carrier permit investigation docket 28767 CAL was not found to be substantially owned and controlled by nationals of the U.K. It was necessary for the Board to grant a waiver of the ownership and control requirements because at that time a portion of its shares were held by Lasca and three of the members of its Board of Directors were citizens of Costa Rica, see exhibit 203". Here is information which was sent to us on 5/9/77 from the Foreign Office in London. The problem of substantial ownership and effective control of the airlines of the U.K. Territories/it hope to be found. It is doubtful whether U.S. would approve ownership of foreign airlines other than U.K. national.

On 4/27/77 our DCA went to Miami to have talks with the delegates of the U.K. delegation to the Bermuda 2 agreement, and a part of his report to us follows:- The U.K. representative said, "points such as ownership and effective control of each designated airline's equipment would be more rigidly applied. This could have a direct effect on CAL's position as a designated carrier".

On 4/28/77 Mr. Johnson led a delegation to Washington again was a part of the Bermuda 2 talks in Washington and a part of his report to us follows:- "The matter of substantial ownership and effective control was dealt with at the meeting and the U.K.A. presented a paper covering the subject. It was stated that with regards to ownership and control air-transport initiation must have a genuine national affiliation. There must exist on the matter of fact the power to dominate or actual domination of one legal personality by another. Nominal national ownership of excess of fifty percent of the stock does not constitute substantial ownership and effective control. Ownership of the aircraft is very important in making the requirements". Now after the talks were held in Washington the agreement was placed before the United Kingdom Parliament and this is known as treaty number 78 of 1977 and it was presented to the U.K. Parliament in November of 1977, and part of that submission states that the contracting party shall grant the appropriate authorizations and technical provisions provided - (a) substantial ownership and effective control of that airline are vested in the contracting party designating the airline or in its nationals. Article 4 - each contracting party shall have the right to revoke the operating authorizations or technical permissions of an airline designated by the other contracting party where (a) substantial ownership and effective control of that airline or not vested in the contracting party designating the airline or in nationals of such contracting party. Under the terms of article 8 of this agreement it is the intention of the Government of the U.K. to designate in the first instance the following Caribbean owned United Kingdom airlines per service on U.K. routes, 5 and 10. Liat air BVI CAL Belize Airways, and the Government of the U.S.A. will use its best efforts to ensure that the necessary operating authorizations are issued to these airlines provided - (a) substantial ownership and effective control of such airlines continue to include at least as great an element of U.K. ownership and control as existed when operating authorizations were last issued to these airlines, and (b) significant financial interest or control in such airlines is not exercised by U.S. nationals or by nationals or Governments of major developed states by airlines of third countries and such airlines demonstrate to the U.S. Aeronautical authorities that they are taking significant steps towards greater ownership and control by U.K. nationals.

HON. JAMES M. BODDEN CONTINUING: To sum it up, Mr. President, what is meant by this is that under the old Bermuda 2 agreement Cayman Airways had to obtain a waiver in order to operate out of the United States territory; this waiver was granted but the waiver was only from Miami to Grand Cayman and it did not allow any offer of charters, it did not allow any other designated point; that is why it was necessary for us to have to be in a position to control the airline in order to obtain the Houston route and the off route charter permissions.

Mr. President, Cayman Airways like many other companies from time to time employ experts to help direct the future policy, and in early 1977 Cayman Airways employed from the United States of America a Mr. John Gilmore to look into Cayman Airways and to make recommendations. A part of his report I will read and it says, "The lesson to be learned from the situation of cut-backs and suspension of service by foreign based carriers in an unprofitable or declining situation is significant. It is only with a national flag carrier that the country can protect its tourism industry in periods of economic decline or a reduction in the major U.S. markets. In such situations the Government with a national airline has the option of ensuring a continued service of an economic or marginal nature of the overall benefit to the country's economy to justify the Government wholly dependent on foreign based carriers has no such option. The current CAL operating certification permits CAL to operate scheduled and non-scheduled charter services from the Cayman Islands to Miami Florida as it is the sole U.S. destination. CAL was denied offer out charter authority and the initial certificate primarily because it did not meet the U.S. criteria of an independent airline. Principally due to its overall relationship with Lacsa and more particularly due to the fact that it operated aircraft leased from Lacsa under a wet lease agreement. This restriction is unlikely to be modified in the current renewal proceedings as the fundamental relationship with Lacsa remains the same. The only major change being a reduction in Lacsa's proportionate equity participation from 49% to 40%; this change is unlikely to cause the U.S. authorities to revise their original view that CAL did not meet the criteria for operational independence from Lacsa as the operational reality remains unchanged. In fact in the initial proceedings the CAB indicated that it would review at the subsequent renewal the progress made by CAL towards independence or communication progress that does not occur. Offer out charter authority is likely to be critical to the long term survival of CAL. The inability to penetrate the growth sector of the market due to the lack of offer-out charter authority is likely to present real and serious problems for CAL in the future. The essential change that would result in the granting of offer-out charter authority appears to be the ownership and operation of aircraft independent from another airline.' CAL as can be readily seen from the foregoing is at a critically important crossroads in its development as an airline. The choice is either to grow and develop towards the goal of an independent airline or to remain static. The choice is obvious if CAL has a role in the ongoing development of the Cayman Tourism industry. It must grow and develop and to do that on a profitable and viable basis it will have to acquire its own aircraft and come to manage its own operation as an independent airline. If none of these instances is there any consistent time lag evidenced over the course of a twelve-month period we suggest a rather haphazard record system in which one could be unlikely to place a great deal of faith. Overall both current reports and the annual reports and the annual forecasts prepared by Lacsa leave a great deal to be desired in terms of both presentation, content and currency. As a management tool they are significantly inadequate providing no on-going measurement in adequate break down of data particularly no comprehensive data on which the different key-elements of the operation can be measured.

HON. JAMES M. MCCLEARY: In several cases the data appears to be unreliable particularly with respect to ground expenses. A new organization and a new management system are urgently required if CAL is to be in a position to adequately manage its own operation in the future, even within the present Lassa structure.

The organization structure recommendations are designed to place CAL in a position to effectively control and manage its own affairs, a change from a purely operational organization into a professionally managed airline. The recommendations have been tempered by the realities of scale and are based on a more effective use of men, broadening up several individuals for participation in the development activities inherent in the recommendations in order to minimize the cost".

Mr. President, it's important that we look at what benefits can be derived by this country through maintaining the services of Cayman Airways and how this can be accomplished by using a 737 aircraft. Before this decision was made the Board of Cayman Airways looked into many different proposals in regards to planes. We've studied proposals in several occasions on the BAC 1-11, we have studied it on the 737, we have our own operation on the DC-3-7A and we've studied the DC-9-80, and all of these point out, to be frank, Sir, that the 737 would be the most profitable aircraft. But the problem is that a 737 aircraft cannot be obtained at the present time, cannot be obtained in the foreseeable future - and we would have to continue a losing operation for probably eighteen months in order to obtain a 737. So the only alternative opened to us has been the 727; but CAL is an essential service in the development of this country; number two, CAL will take on vital role, pioneering new routes, extra charters, extra available passenger capacity and our good-will ambassadors abroad. It will work arm in arm with the department of Tourism and the financial centre to attract tourists and promote development. Number four, CAL in pioneering and development routes acts as an arm of Government and as an ambassador. Five, enables Cayman Airways to enter Canadian and U.S.A. charter markets. Six, enables passengers to fly plane superior in comfort and speed to any other plane on the Cayman route. Seven, enables CAL to make maximum use of the Cayman airport runway with a full load of a hundred and twenty-five passengers. Eight, CAL will be able to omit at least one cargo flights per month costing at the present time over three thousand dollars each due to cargo capacity of this plane. Nine, provides a proven first rate plane unlikely to depreciate a great deal in value over the years. Ten, planes of this type now costing you about twelve million, five hundred thousand dollars U.S. and even at this price it's considered a big money maker for airlines and has set an all-time records in generating new repeat orders with blocked out delivery schedules many into the future. Eleven, value of the used 727 market has gone up very fast in the past year. Twelve, ease of obtaining spares and overall maintenance. Thirteen, no two engine jets available in near future, which is what I spoke of a few minutes ago. Fourteen, we cannot continue restrictive and unprofitable leases. Number fifteen, most important - Cayman Airways is designated as our flag carrier.

For the years 1968, 1969, 1971 and 1972 Lassa did not present any official audited accounts to the CAL Board. In extracting from information given to me by the managing director of Cayman Airways I will read out some of the operational statistics for the past.

HON. JAMES M. BODDEN (CONTINUING): "In 1970 there was sixty thousand dollars worth of travel thereon and there was a gross income of a hundred and eighty-five thousand, seven hundred and four dollars and showed a profit of thirty-one thousand, one hundred and seven dollars. In 1971 the revenue from Cayman Airways was one million, one hundred and twenty-two thousand and eighty-three dollars. The rental to Lacsa for that year was nine hundred and fourteen thousand, eight hundred and twenty-five dollars. 1972, current liabilities on the end of the year were two hundred and eighty-five thousand, eight hundred and twenty-eight dollars. 1974 professional fees paid to Lacsa, one thousand, five hundred and sixty-two. Owing to Lacsa at the end of the financial year 1972 was seventy-nine thousand, nine hundred and forty-one dollars. Insurance on the craft paid in 1972 was seventeen thousand, four hundred dollars. Joint facility and agency expenses for 1972 were thirty-two thousand, four hundred and thirty-three dollars.

1973, the revenue was two million, eight hundred and seven thousand, eight hundred and ninety-three dollars. The rental to Lacsa was one million, four hundred and two thousand, eight hundred and ninety-three dollars. 1973, the current liabilities at the end of the year was eight hundred and sixty-three thousand, nine hundred and ninety-two dollars. 1973, the professional fees paid to Lacsa was twenty-two thousand, nine hundred and seventy dollars. Owing to Lacsa at the end of the financial year of 1973 was two hundred and twenty-four thousand, two hundred and twenty-seven dollars. Insurance on the craft for 1973 was seventy-one thousand dollars. Foreign exchange loss for 1973 was fifty-four thousand, seven hundred and twenty-seven dollars. 1973, joint facility to Lacsa and agency, a hundred and sixty-two thousand, three hundred and ninety-two. The results for the year of 1973 was a profit of a hundredfifty-two thousand, three hundred and thirty-one dollars.

1974, the revenue was four million, two hundred and forty-seven thousand, three hundred and eighty dollars. The rental to Lacsa was two million, two hundred and fifty-two thousand, two hundred and seventy-two dollars. 1974, current liabilities at the end of the year stood at one million and thirty-six thousand, one hundred and forty-four dollars. Professional fees to Lacsa in 1974 was thirty-one thousand, five hundred and forty-three dollars. Owing to Lacsa at the end of the financial year of 1974, three hundred and forty-nine thousand, three hundred and fifty-four dollars. Insurance on the craft in 1974, eighty-one thousand, four hundred and ninety-one dollars. A foreign exchange loss in 1974 of a hundred and seven thousand, four hundred and fifty-two dollars. Joint facilities of Lacsa and agency was in 1974 cost two hundred and seventy-five thousand, five hundred and four dollars. 1974 showed a profit of a hundred and four thousand, one hundred and ninety-four dollars.

1975 revenue was three million, nine hundred and forty-nine thousand, six hundred and twenty-eight dollars. The rental to Lacsa for that year was two million, four hundred and sixty-three thousand, nine hundred and seventy-six dollars. 1975 current liabilities at the end of the year stood at one million and eighty-three thousand, nine hundred and fifty-four dollars. 1975 professional fees to Lacsa was thirty-seven thousand, six hundred and ninety-four. Owing to Lacsa at the end of the financial year of 1975 was two hundred and fifty-eight thousand, one hundred and eighty-one dollars. Insurance on the aircraft for 1975 was eighty-six thousand, two hundred and forty-two dollars. Joint facility use for 1975 was a cost of two hundred and forty-three thousand, two hundred and seventy dollars. An operating loss in 1975 of three hundred and sixty-five thousand, four hundred and twenty-nine dollars.

HON. JAMES M. BODDEN (CONTINUING): 1978, the revenue was three million, five hundred and ninety-two thousand, seven hundred and seventy-three dollars. The rental for Lacsa was one million, eight hundred and ninety-eight thousand, eight hundred and ninety-four dollars. The current liabilities at the end of the year stood at one million, one hundred and ninety-seven thousand, one hundred and forty dollars. Owing to Lacsa at the end of the financial year was three hundred and eighty-five thousand, two hundred and forty-nine dollars. The profit for 1978 was thirty-seven thousand, seven hundred and twenty-nine dollars.

1977 revenue was three million, nine hundred thousand, six hundred and five dollars. The rental paid to Lacsa was one million, nine hundred and nineteen thousand and seventy-five dollars. Current liabilities at the end of the financial year ofSeptember, 1977 stood at eight hundred and thirty-five thousand, nine hundred and thirty-eight dollars. And owing to Lacsa at the end of the financial year was two hundred and forty-one thousand, six hundred and seventy-one dollars. A profit of twenty-five thousand, five hundred and forty dollars. In October and November Lacsa was paid for the lease of the plane for those two months, three hundred and thirty-five thousand, seven hundred and sixty-six dollars. 1977 year showed a deficit at the end of the year in the operations of the company of a hundred and ninety thousand, six hundred and thirty-five dollars; this is based on a hundred and eighty-three thousand, seven hundred and fifty shares that have been issued with a hundred and ten thousand, two hundred and fifty at that time being registered to the Cayman Islands Government, and seventy-three thousand, five hundred shares to Lacsa".

This has further been proved in the last two months of operation to where the company, when we took it over on December the 1st, stood in a very very serious financial position. In 1978 the Cayman Islands Government paid for additional shares in Cayman Airways, that was the nine that we bought, I think it was, nine percent and we paid sixty-seven thousand, five hundred dollars for them.

To further prove from these records to prove to this House that this has been an up and down type operation; sometimes losing, sometime winning, that in September, 1978 Cayman Airways lost for that month one hundred and fifteen thousand, six hundred and seven dollars and nine cents. October, 1978 the loss was fifty-eight thousand, eight hundred and seventy-three dollars. November of 1978 it was forty thousand, one hundred and ninety-three dollars and forty-three cents. During the month of July, 1978 for the use of the jet on lease we paid Lacsa three hundred and three thousand, eight hundred and four dollars and thirty-five cents for that month's use. August of 1977 we paid a hundred and sixty-two thousand, five hundred and seventy-nine dollars and ninety-four cents. On March the 1st of 77, owing to Lacsa by Cayman Airways was four hundred and ninety-four thousand, five hundred and thirty dollars and ninety-six cents. August the 1st, owing to Lacsa was two hundred and sixty-eight thousand, six hundred and fifty-one dollars and six cents. On December the 1st of 1977 when the deal was broken with Lacsa, owing to them at that time was four hundred and twenty-nine thousand and three dollars. In seventy-two months of operation of the BAC 1-11 from 1972 to November the 30th, Cayman Airways paid to Lacsa for the rental of the BAC 1-11, ten million, eight hundred and eighty-seven thousand, six hundred and fifty dollars plus about three million dollars for insurance, personnel cost, management, professional fees, technical fees, accounting, auxiliation etc. The average cost per month of manual works out at one hundred and forty-seven thousand, one hundred and thirty Cayman Islands dollars.

HON. JAMES M. BODDEN (CONTINUING): On December the 1st, the equity of the company had shrunk to where a two dollar share had a value of eighteen cents approximately, and including the amount owed to Lacsa at that time from the inception was in the neighbourhood of seven hundred and ninety thousand dollars in what it cost the Cayman Islands Government to own and operate Cayman Airways in conjunction with Lacsa from its inception.

The unaudited figures for Cayman Airways from October, 1976 reveal the following:- October, 1976 a loss of fifty-four thousand, nine hundred and forty-four dollars. November, 1976 a profit of ten thousand, nine hundred and twenty-six dollars. December, 1976 a profit of nine thousand, four hundred and six dollars. January, 1977 a profit of seventy-one thousand seven hundred and fifty-four dollars. February, 1977 a profit of sixty thousand, five hundred and twenty-six dollars. March, 1977, a profit of sixty-four thousand, four hundred and one dollars. April, 1977 a profit of fifty-nine thousand, two hundred and sixty-two dollars. May of 1977, a loss of forty-six thousand, two hundred and forty-seven dollars. June, 1977 a loss of twenty-seven thousand, three hundred and ninety-three dollars. July, 1977 a loss of thirty-two thousand, one hundred and eight dollars. August of 1977, operating loss of fourteen thousand and eighty-nine dollars. September, 1977 a loss of forty-one thousand, six hundred and seventy-nine dollars. October, 1977 a loss of eighty thousand, four hundred and forty-four dollars. November of 1977, a loss of twenty-seven thousand, four hundred and thirty-four dollars. During the last year of the operations of the plane under the Lacsa lease the operating cost to Lacsa overall increased by an average of twenty-two percent. Much was made of the way Lacsa dealt with Lacsa when the rate was changed to flat fee per hour and they paid us nothing for the use of the plane. October, 1976 to February, 1977 the flying operation costs were reduced three hundred and ninety-eight thousand, four hundred and fifty-eight dollars over the

May to September, 1976 figure; this was due to no lease back to Lacsa and Cayman Airways earned 10.9 percent more revenue but lost four hundred and fifty-eight thousand, six hundred and forty-nine dollars and ninety-five cents Lacsa got back in revenue to Lacsa. Assuming the same use by Lacsa in October to February as May to September this showed a difference of ninety thousand, one hundred and ninety-one dollars and ninety-five cents. Assuming the same time flown, assuming the same traffic increase of 10.9 percent had not taken place, of a hundred and fifty-four thousand, and fifty-one dollars and twenty-two cents, then Cayman Airways would have given up the income of four hundred and fifty-eight thousand, six hundred and forty-nine dollars and ninety-five cents from Lacsa for two hundred and forty-four thousand, two hundred and forty-three dollars and nineteen cents, a savings to Lacsa of two hundred and fourteen thousand, four hundred and six dollars and seventy-eight cents. The direct flying operations cost with Lacsa, May, 1976 to February, 1977 averaged 52.87 percent of gross income. Indirect costs were 45.27 percent of gross income and the profit was 1.87 percent. Direct and indirect costs per hour while under lease back to Lacsa was fourteen hundred and forty-two dollars and forty-three cents per hour. Without Lacsa back to Lacsa, October to February the cost was fifteen hundred and fifteen dollars and thirty-five cents or seventy-two dollars and ninety-two cents per hour more.

HON. JAMES M. BODDEN (CONTINUED): The Cayman Brac operations costs from May, 1976 to February, 1977 were 21.14 percent more than the revenue. May, 1976 to February, 1977 technical and statistical cost paid to Lacsa was one hundred thousand, five hundred and three dollars and twenty-one cents or 8.87 percent of gross revenue. Food expenses, May, 1976 to February, 1977 were 5.80 percent of gross revenue. In March of 1970 it stood at 2.20 percent, quite a significant drop. Under terms agreement, severence pay had to be paid to the former employees of Cayman Brac Airways still working for Cayman Airways, and Cayman Airways paid seventy-five percent of this amount or thirty-four thousand and forty-four dollars C.I. and Lacsa paid twenty-five percent or eleven thousand, three hundred and forty-eight dollars C.I.

Surveys revealed that operating the 727, Miami, Grand Cayman and Kingston only load factor, to cover all costs would have to be Miami, Grand Cayman, Miami 63.7 percent. Kingston 84.5 percent, but with two trips per week to Houston with fifty-six passengers each way the load factor relyon on the Miami route to 74.3 percent, reduces on the Kingston to 75.5 percent and the Houston route average about 45 percent. With the present DC-9-15 the load factor on the Miami and Kingston route would have to be one hundred and thirteen percent in order to break even. Providing indirect cost can be held to the present level and with improved factors plans should make on profit nearly three quarter million dollars a year, but let's don't really bank on that because we're in a difficult operation and it may be that for some years yet the operation may cost us some money. Due to the increased load on the 727 and flying at higher altitude the seat mile fuel cost average 10.2 cents against the normal computation for 37.2 cents and 34.5 cents. The plans can fuel and tanker from Miami at an average price of 40 cents a gallon for fuel against fifty-six cents U.S. Here's that's quite a significant savings. At the present time on our operations the refuelling here in Grand Cayman do costing us per trip about a hundred and seventy-five dollars more than it should be costing if we were able to tanker in Miami, due to the short sector of Miami run will usually take fourteen hundred gallons of fuel per hour, Kingston, fifteen hundred, but on the Houston run flying at a higher altitude the fuel cost use would be about eleven hundred gallons an hour. The cargo plans use can be cut from fourteen trips per month to about eight per month with a savings of about twenty thousand dollars per month. Houston will mean about forty flying hours but it should increase the total use of the plans to about a hundred and forty-three hours per month compared with a hundred and twenty-eight now, and this is due to the fact that you'll be using a larger plane with a higher density.

Using an eight percent per year depreciation over ten years to a residual book value of twenty percent the airplane in 1988 should have a book value of nine hundred and twenty thousand dollars, U.S. But with the market continuing to hold a sales value it should be in that time at about two million, two hundred and fifty thousand dollars, thus the realization of a further profit of 1.3 millions. The BAC-1-11, in order for us to obtain one of these and we were given these figures up until just a week ago, it would cost us sixty-five thousand U.S per month for seventy-five months on a lease purchase basis of a used plane similar in age, similar in hours flown to the 727 that we're talking about. The cost of spares per month would be twelve thousand, nine hundred and fifty dollars U.S. The maintenance would be about twenty-five thousand dollars U.S for a total of a hundred and two thousand, nine hundred and fifty dollars a month. And this is based on a hundred and twenty-five hours per and the plane has a maximum capacity of ninety-four seats, and on Houston run the maximum would be about seventy-two passengers. This plane cannot carry any extra fuel to make us money in tankering in Miami, and it cannot carry any cargo.

HON. JAMES M. HODGES CONTINUING: The 727 should work out in the interest in principal to roughly ninety-three thousand two hundred and fifty dollars a month compared to a hundred and two thousand, nine fifty as I said a while ago for the HS. Depreciation over ten years would be down to a base of fifteen percent or six hundred thousand U.S. On a hundred and twenty-five hours use a hundred and twenty-six cents on the interest payment only the cost would be two hundred and twenty-four dollars U.S. per hour.

It is significant for us at this point, Mr. President, to look at the performance on Cayman Airways at the present time. In March, 1978, Miami to Grand Cayman over 1977, the load factor was an increase of 30.2 percent. With an overall load factor averaging 83.48 percent. Grand Cayman to Miami showed an increase over 1977 of 18.5 percent with a load factor of 80.77 percent. Grand Cayman to Kingston showed an increase over 1977 of 32.17 percent, load factor 73.45 percent. Kingston to Grand Cayman showed an increase over 1977 of 6.23 percent, load factor 77.12 percent with an average load factor was of the plane on all of the sectors of 81.24 percent. Fifty-five to sixty percent load factor was in most airlines is considered encouraging. In March Cayman Airways handled nine thousand and forty-eight passengers. In January of this year Cayman Airways handled approximately three hundred and forty thousand pounds of cargo. In March of this year we've handled four hundred and ninety-six thousand, four hundred and seventy-nine pounds. It's quite a significant increase but the/significant thing about it is that we have taken the cargo situation from January to March - in January with the losing position of roughly twenty-five thousand dollars and in March reduced it to about two thousand.

In regards to the size of the plane, Mr. President, we have to look at what is happening around us today... Many days Lacsa comes in from Costa Rica, sometimes one person, sometimes twenty-five maybe, and it picks up fifty, sixty and even in one day eighty-one passengers; this is a lot of revenue that can be earned by Cayman Airways, but it is nothing that can be done about it at this time because the plane that we have does not have the capacity to transport the people.

Purchasing a used plane, Mr. President, can be compared much like the dock situation in George Town, comparing that to the North Sound. Everyone in this island would agree that a dock in the North Sound would be the best area for it, but our pocket would not allow that and we had to do what was most best and that is George Town. So that is/the reason we're having to buy a used plane because the economic is not in the purchase of a plane costing twelve million dollars at this time. It is true, Mr. President, that the training of the crew cost us approximately a hundred thousand dollars U.S. and maybe a little bit more. But this was important because we had to have our own crew run this airplane and this is nothing unusual, we have spent money in the past on scholarships in providing education for other people.

From November the first of 1977 when the new operation started to March the thirty-first, 1978 the plane carried twenty-eight thousand and forty-two passengers. Should this company be shut down, Mr. President, it would mean virtually a collapse of the entire economy of this country. The people who now work in the hotels would be out of jobs, the taxis would be out, the... accountants, the banks would lose a lot of revenue, the transport stores, supermarkets and every segment of our economy would be hurt because of this. In addition the people employed there, you would be looking at roughly fifty more people unemployed and out of work.

HON. JAMES M. BODDEN CONTINUING: Operating Cayman Airways comparing to a North American carrier is no much chance of us having a strike here, not saying it will not occur if some people have their way, but that is something that you're faced with continually on the North American side, and if we were tied, say to National and they had a strike it might be a month that our plane would not be running into Grand Cayman. So we must look at that and see what the effects could be to us.

One thing that has perturbed me about the Cayman Airways thing, Mr. President, is (and I had quite a bit prepared on that but I decided to cut it short) was the attitude it was taken by the local financial institutions in regards to even the bridging loan. At one point in this operation it was necessary for Cayman Airways to have a hundred and fifty thousand dollars U.S. to meet one of the liabilities. The bank that we had been doing business with over many,many years in which during the period/time that this company has been in business has probably run in the neighbourhood of twenty million dollars, Cayman through that bank, refused - when I say twenty I should correct that, Sir, it would probably be closer to about thirty - refused a loan of a hundred and fifty thousand dollars for ten days, knowing quite well that that loan was guaranteed by the Government and knowing quite well that it would be paid back as soon as the loan which had been negotiated abroad was given to us. This, I think, reflects the attitude in the circles in regards to the financial institutions as to what should be done in this country. We're faced with a depressed economy in one sense, because we have but very little participation in regards to mortgageloans and so forth, and this is something that is very vital for this country.

Mr. President, I could go on till tomorrow, really, but it would only be the matter of shouting out of some more figures and I am convinced, Sir, that we have made the right move, I am convinced that history will prove us right and I am further convinced, Mr. President, that the blind cannot lead the blind. In regards to the operation with Air Florida, I accept full responsibility on my shoulders, Sir, for whatever blame may be attached to that. I had a very competent group of people with me in the negotiations of that contract, but we were faced with a critical time-factor that we could not work ourselves out of. On the final day that the contract was signed we had just about twenty working days left to complete all of the papers, all the transactions and to get an airline into operation. I'm sure that a commercial airline has never been started that fast yet. We had a lot of things to work against us during those twenty days, and even until twelve-thirty of the same day when an employee supposedly of ours was trying to get the FAA not to allow this plane to fly at one-thirty. So, Mr. President, we know that the Cayman Airways operation with Air Florida, although it compared in some respects better than the Lacsa agreement, in other areas we knew that it was more expensive. We had projected the approximate loss from the day the contract was signed and we have not exceeded that by very much. But,as I said a while ago, Sir, whatever blame can be attached to it I do not wish any of this to be attached to the other Members who were with me in the negotiations of this, but that it be placed on my shoulders entirely,because I am the Member in charge and I had the final say. So, Mr. President, I thank you for your indulgence in allowing me to read this this morning. I would have liked to have talked a lot longer but it would have meant to plane before the House that I had prepared. I would probably had been here until tomorrow, I know at least today. So to try to save time, Sir, I am now going to give it over to someone else so that the debate can continue and that the Assembly can carry on on and today.

With your permission, Mr. President, I would ask the Govt now to Table this Report which I have prepared.....

MR. PRESIDENT: I'm afraid that's not possible without a formal motion. That can be done quite easily under Standing Orders at the conclusion of this debate without notice, if the Honourable Member moves that the paper lie on the Table.

HON. JAMES M. BODDEN: Thank you, Mr. President.

MISS AMMIE U. BODDEN: Mr. President, I am going to commence my debate on this your throne speech by referring to the last paragraph of that speech.

"It remains for me to express the hope that with divine guidance Honourable Members will continue to exercise the wisdom inherited from their fore-fathers and guide the country with sensitivity, respect for public opinion and with the love and pride of experienced sailors on a well-found ship - it always lies with Honourable Members to steer them to suit the winds. 1978 is set fair." A straight answer, our ship lies west, another direction west, with the/ winds that blows/ the set of the sails and not the rules which tells us the way to go. Like the winds of the sea are the ways of fate as we voyage along through life, 'tis the set of the soul that decides its goal and not the calm of the strife.

Mr. President, I would like the Honourable Members of this House to note this; "it is the set of the soul", that is what we need, "the set of the soul". Now, Mr. President, I'm not going to flatter you and tell you that that is the best speech I have ever heard, that would not be the truth, it is among the best that I have heard, but not the only best one. And I must congratulate you, Sir, on the effort that you have put in to make such a comprehensive statement. There are one or two points which have been left out and which I will deal with at a later stage. But I would like to say here and now, Sir, that before I really start on my debate I would like to refer to two of the Standing Orders, 30 (4) "no Member shall impugn improper motives to another a Member", number 32 (4) "a Member shall not read his speech, but may refresh his memory by reference to notes and may read extracts of reasonable lengths from books or papers, in support of his argument". Now I would like it clearly understood right here and now that I am not referring to the Fourth Elected Member to the Executive Council, but I am referring to certain things which happened in this House, and since I am the target of all the censorship I have to take my stand.

Now, Mr. President, the first thing I am going to refer to is The Development Plan. I think that Development Plan has been the most costly to Annie Eulalie Bodden of any Member of the former Government or this present one. From the outset of it I opposed certain factors and for this I was victimized, finally I entered in the Court House on a five day trial which cost me fifteen hundred and seventy-five dollars, and I never collected a cent back; now that is all spent and gone. I will give this present Government credit where credit is due, they have gone about and have got a plan which is more satisfactory than the former one we had. But still I would like to let this Honourable House know that every human being in the Cayman Islands is not happy about that plan. Up to a few days ago I was told - they talked about the Beaver road, what about the Frank Ray Road, so I'm saying that each one has got to get some criticism. Now, I would say, Sir, that this Development Plan has gone a long way to ease the situation. I understand that land sales are moving and development is coming about in various places, the hotels, condominiums, etc. for which I am thankful, and I Annie Eulalie Bodden have played a part in this Development Plan; this is not something that was hatched up here in sixteen months, it has been from 1971 and it has not been strictly the use of this present Assembly, including myself, who are responsible to have put this Development Plan in a position where people can build, we are all responsible.

MISS ANNIE S. BODDEN CONTINUING: the great fore-fathers are responsible for the development today. It hasn't happened in a year, two years, three years; we have taken, I would say a hundred years to get where we are today and it was the foundation that was laid, the very Bible tells us that, we have to build on a foundation, and that foundation was laid many, many years ago by uneducated, unlearned, but upright... people and we are still building on that foundation today. And I hope and pray and trust that we shall continue to build and that we shall accomplish no less by 1990 than has been accomplished in the past.

Now, my next subject, Sir, is this Cayman Protection Board. I might as well tell you the truth, Sir, I'm not happy with it because things are going on in that Board which are contrary to what I believe is right. For instance, I have to be a bit personal, Sir, I'm very sure that applications that I have made to that Board have been turned down because they came from Annie Huldah Bodden, I'm very confident about that. I had an application for a minister of religion, a minister and for six months that is being dangled and ... torn apart, finally it has been rejected and I had to take the matter further, but I feel that was because it was from Annie Huldah Bodden, because after all we're not living in a communistic country, we're living in a country where the gospel of Jesus Christ shall be proclaimed to the ends of the earth. Well, we might not exactly be the ends of the earth but we must agree that the christian religion has done wonders for us. Now, Mr. President, I feel that this board is dominated by politics, I feel it is dominated by politics because I have been told and I always have to say that I appear to get news which not many people get, and I do not go about seeking this news, it comes direct to me - and I have been told that certain members on the Board say "Annie Bodden, so and so, therefore we're going to do so and so", now I'm not saying they'll say that right in their meetings but it's in their brain and they put it out, now that is not right, this thing is only political, why should my personal business be hampered because I stand against certain things, is that right? I'm the weakest lawyer in this country, when I say weak, I mean I'm a sole woman and although I can stand for my rights, thank God, when I get ready, people should not take it a delight to try to hurt me because they think they can. But I'm not the only one that's hurt by this Protection Board. I had a client come into my office about tomorrow, two weeks, he said I have made an application to do a certain thing and because I am in competition to certain people who are related to certain people I cannot get any permit, they have gone so far as to enquire from the Customs if I have paid duty on my boat or not. Now, Mr. President, that is taking the matter too far, that person was a Caymanian, although he was illegitimate, he was a Caymanian, and I do not think it is right and proper for those who are in authority, whoever they may be, to try to intrude on the weaker people. My stand has always been to help the weak and to try to encourage them to get on their feet.

Now, the next thing that I shall deal with is this United Nations business. And I feel today that is why this hatred has generated against me on account of just because I attended a public meeting at West Bay where it was said that with this report which had been received from the United Nations it was not all too clear what would be our position. Now, Mr. President, I have heard it said publicly here in this chamber that you are such a wonderful man, that you will be welcomed back, if you could stay here your entire lifetime it would be happiness. Now, I would like to tell you, Mr. President, that that sounds good while you agree with everything they say, but let me tell you if you were like one of your predecessors, he was told in this chamber 'we're glad you're going and we hope we never see you back even as a visitor', now that was an insult to Her Majesty the Queen to say such a thing about her representative, if it had been for Hunter in that Chair. So you won't get a bit better, Sir, with all the good you have done if you do not ever get in your brains, Sir, that they are wrong sometimes and you have to correct them. So that is that, Sir,

MISS ANNIE E. BODDEN CONTINUING: Now, Mr. President, the Cayman Airways. I want the public to understand and understand very thoroughly that I was one of the promoters of this local scheme. I had to fight two of my colleagues in George Town, they didn't see this matter as I did, but I felt it was the best we could do to protect the economy of our Island. We didn't go into this thing haphazardly, we had meetings upon meetings, we had expert advice, we had what I call the brains of the Assembly on the committee trying our best. Well, finally we came up on an agreement and the agreement we made was not for profit in my mind, it was for service, and we had that service for nine years. Now, hearing those figures related just now I don't know how anybody with any sense could venture into an airline if that was the result of the Lacsa deal. But I will say this much, when I leave this chamber today I will leave with only one decision concerning CAL and that will be my prayer, that the Almighty will guard the plane and that its passengers and crew will go safely to and from the mainland. Whether they spend a million dollars or make a million per minute is no concern of mine the way that I have been involved.

Mr. President, I have nothing against people, personal, why should I? We are here to fight for the Island's good, not to assail one another. Mr. President, I don't know if it is my big pretty face or what, but they say they're going to smash that up, now just imagine that. Now, Mr. President, I'm almost seventy years of age, less ten days, I have never been in a fight in my life, never yet, don't know how to fight. When I was twelve years, Sir, there was a fight not too far from our gate, about six women fighting like hell, and when it went to court the policeman then came around to enquire from my mother what she knew about it to give her statement as it was going to court, my mother said "they are not my class", the policeman who was a coloured man said "But they are your colour", she said "colour but not class" and that's exactly how I am with fighting. Any woman who wants to fight another one is something else, not Annie Huldah Bodden's class. But I have made up my mind, Sir, that when I leave this chamber I'm going to the police station to report the threats of certain people who are threatening, now not that I'm afraid of them in the slightest but it would be beneath my dignity to fight. One woman said up to Saturday, because some Member of this Legislative Assembly went and told a lot of untruths about me, what I had said about her husband in this chamber, and what did the woman say she's going to ride that 6 of a 9 underground Hog Sty Bay. The daughter said if I come to the Glass House I'm going to get blood in this beautiful face of mine, well, I'm going to say, Sir, that that fight won't be like the fight that was around Hog Bay not too long ago, because I must defend myself. Up to yesterday morning, Sir, I had a dressing off because I was told that I'm not so bad, but in the election I disassociated myself with the successful candidates, I broke relationship with them which is not the truth. I spoke some nights till my throat hole was sore trying to get people into the Assembly, and if I didn't get in it wouldn't have been any loss, it would have been somewhat of a loss in my pleasure but not financially, but I like to serve people, I haven't got any other interest than to serve my God first and the people of the Cayman Islands next, myself last. So I do not agree that all that people are saying against me are true. I didn't know the people that I were associating with were such criminals, I didn't know it and even if they were criminals from the time I was sixteen years old I've been associating with man, and up till today at the age of seventy no man can say anything disrespectful of Annie Huldah Bodden or going on the platform with a few ex-politicians wouldn't hurt me. But I am saying it is not in the interest of this Assembly to have so much bickering, it is not. We are here, Mr. President, to try to further the good of the Cayman Islands, and if I disagree on the CAL or The Development Plan or any such like thing when we leave this chamber we should go out as friends not people waylaying to kill me.

MISS ANNIS E. BODDEN CONTINUING: What is wrong with their mentality? I see here, Mr. President, they say they're making a law for some people. The Mental Law, well, take care when all this is over they will have to put a cap on Cayman because they'll all be insane if they go the course they're going now.

Now, the Little Cayman Oil Terminal, I'm going to give credit where credit is due. I'm saying that this present Government were responsible for having that contract signed, although I do not agree that the contract should be a private document among the Legislators, that was a whole argument of this opposition prior to 1976: Everything was annulled and kept in the custody of only the Executive Council. Now this appears to be the same, but I'm not the absolute darkness of seeing that contract, Sir, because we have to have faith in somebody and I'm sure with the experience that we have, the experienced people who I'm sure drafted that contract that as far as possible all loop-holes have been closed. And while one hundred and seventy-five million dollars over a period of thirty years is a good amount, if I knew how to figure that would average round about forty-two to fifty dollars per year per person over a period of thirty years, but nevertheless it will help out our economy greatly and it will attract labour and it must be a benefit even if they would spill oil it would still be a benefit, and I hope and pray and trust that never happens.

Now, Mr. President, in 1968, I think it was we argued in that old Town Hall until five minutes to twelve under the leadership of the Late Chief Secretary fighting what I believe they call a Miss Matthews Oil Bill. We took it to vote, whatever it was, finances or what it was and we went out of this chamber very happy, some got so disgusted they left, and that was to put an installation as I recall at North West Point, but when we left this chamber nobody was grieved at each other, we expressed our views and that is what this legislative assembly is for. I can't be right all the time and neither am I wrong all the time, but I have been made to understand that I am even Julie Iocasta, you just imagine being called such names, a good, pure, upright, innocent woman like me who has served the Cayman Islands for eighteen years without fear or favour. I didn't create any laws like they said "We have white laws and black laws", I was not a party to that, I believe in justice for all men and that is what I try to accomplish.

Now, coming back to this Protection Board, I understand that they objected even to have lawyers come into this country. Now what harm can that be if there are lawyer firms in this island who need/have an extra man or two more in to help them, that must mean that the off-shore is on the increase. And I think it's sadly my misunderstanding, I would say, to try to stop people coming into this island who are fill jobs which we are not qualified to do. I'm not saying there are not qualified lawyers here, I'm not qualified with a piece of paper but I'm merely qualified with experience and I have been, if I must say so, in the law business from before I was sixteen years old. I have prepared more cases for court, I've typed more reports on coroner's inquests, I have typed, well, I couldn't tell you the things that I have typed because in my day there were only two ladies who could type, and about five typewriters in Grand Cayman, and that was Miss Frances Bodden who now is even denied the right to have a maid in her house because her permit with a Miss says after this year you go, so that is the gratitude that people who have served put from people who think they can trample us now.

I'm coming back to these lawyers. I say, Mr. President, if there is room for work here that will improve our economy let them come in. We have had our trained lawyers, and I refer to the First Elected Member, and I remember the day that this chamber was opened, although he was the acting Attorney General they were so bitter against him, and then to the truth if it ever came out of a human's lips, his name was on the programme but was he allowed to sit in his chamber?

MISS AGNES E. SOUDAN (CONTINUING): That is the treatment that our trained lawyers have gotten. The present one now, I don't know the circumstances, but I've heard people say that they would not have accepted the job to sit where he has to sit or he had to ask. Now, Mr. President, it is useless for us to waste money to pay to have people trained and when they come back here, like the Member from North Side said, they're only job is to shake the carpet for other people to go over; we don't want that, we want when we have our people trained that they are provided adequate jobs. Now I will say, Sir, like a very, very old predecessor of yours said once when I was a child, "Governments are a law unto themselves, they don't want to be governed by/ but I believe they have gotten a little more educated that there are laws which they have to be governed by and I feel that we have reached the stage now where when we make laws these laws must be for all and sundry.

Now, with this Air Terminal which I hear so much, which we borrowed so much money to build and never built. Mr. President, when we campaigned in 1959 we campaigned and promised the people that we would as far as possible get money for roads, get buildings and do all that was necessary to try to build up the economy of our Islands. We borrowed money but we/ have over a period of time, and I believe we still owe some of that money which we have to pay back but we have the value to show for it. We have a court room that is second to none. I heard the Honourable Last Chief Justice who sat in that court said how pleased he was to see such a building. Anybody that comes in this chamber their hearts must swell with pride if they have any national pride to know what fourteen thousand people have accomplished. Our roads are second to none. When the opening of the road when his Honour Mr. Cardinall was here, from North Side to West End I went on this tour, went first to North Side, from there to East End, we had gone all day, when I got back around about four o'clock the roads were so bad that all I could do was to throw up, vomit, shook to death, now look at the roads we have now. Haven't we accomplished something and it was because the people realised that we needed roads and we got them.

Now I'm quite surprised to hear that any bank would refuse to lend our Government this little small amount, why? that is a mystery which I'd like to know indeed. And if we are doing business with that bank and they have such a poor opinion of us, if I were those in charge I would pull my entire business from the bank and go someplace else, but they must have had a reason, that reason I do not know. I will say, Sir, that since people in this island have got the borrowing spree, they will borrow money for everything, according to the news I hear. You can get money to borrow for a car, a washing machine, a trip to Miami, anything and naturally the bank must know that when they lend money who and how they're going to get it back.

Now, Mr. President, I find that any increase in anything like the freight rates which I heard increased will be a reflection on those of us who have to buy food, and I understand that these freight rates will be increased, will don't that an indication that prices will go up and prices for the poor ordinary people, but I suppose money will have to be found and it will have to be found the best way it can.

Another thing, talking about these newspapers, that they like to misquote you. I tried to say in the meeting last week that I felt two hundred dollars per trip for one trip per year was sufficient, see what the newspaper got it, "Annie Eulah Bodden bought a frock for a hundred and fifty-six dollars, that part of but they forgot to put in that I said two hundred dollars per year/ it is trip not per trip every trip once you go. So sometimes I have to agree, especially with this Compass, when it puts all kinds of stuff that is annoying to our islands.

MISS ANNIE R. BODDEN (Nominated): Twice the schools. Now, Mr. President, when I was fifteen years of age I went as high as you could go in those days. I passed my third year pupil teacher's examination, the certificate is hanging in my office today. Fifteen years of age, I went as high as I could go but we had just a little school with a hundred and fifty people, half the time we were under the grape tree and I had to teach one year to get to pass my third year examination, because at that time you were supposed to leave school at the age of fourteen. And I taught one year free to get the opportunity to stay in school a year. Now when I read this headline, "school hampered by drugs, truancy, overcrowding". I think that whoever wrote that should be made to apologise because no such a thing happened in this place where it was established that drugs are being consumed by every pupil in every school, and for one thing I don't know how much of that it is but it's not much a problem I'm sure, as overcrowding - they might be thank God that they have buildings such as have been established at the expense of fourteen thousand people plus the aid they got from overseas. Look at the walkways, look at the transportation, look at the books furnished and they all have that privilege of going to school. Now, Mr. President, the school gets a lot of criticism. Christmas I was very ill with the flu, I did not get out to the function they had at the school, but I was told by people who had no children in that school, it was the best performance of the whole Christmas season. I was very proud to hear that because I felt it was a credit to those in charge and the teachers, and the children. Now for this to come up "school hampered by drugs, truancy, overcrowding", what will people think about our schools? They'll think it must be in some old slum area where everything is going wrong. I think that statement should be corrected, it is not the truth. This is one time when the Compass has led people astray. I don't know what damage the lettime will do but I know this will do a lot of damage.

Now, Mr. President, the Civil Service. I feel, Sir, that as our nomination dictates that is your job. And I know we have not got perfect Civil Servants, none of us are perfect, if we were perfect we would have been gone to another world, we would have gotten the faith that Elijah got, taken right up to heaven in a chariot of fire, but we are just ordinary human beings. And the Civil Servants have done a good job now I'm not saying they're perfect, Sir, but I'm saying they have done a good job. In olden days, Sir, when you were a civil servant you were looked down on. All the high class as well themselves high class had to get to Tampa and Miami and from there to Fort Arthur, only those who are loyal to our country stayed and worked. The Clerk of the Court, an honourable upright man, one who could govern the whole Cayman Islands with a stroke of his stink, you know what he got, Sir, six pounds a month. He never even had a secretary, I had to do most of his work for him for nothing. I remember on one occasion when he was Receiver of Wrecks, the wreck of the Balboa, I had to do all that typing for the boys and the process, everything. The man came one Christmas eve, he said I came to pay you, I said thank you, sir, he said I'm going to give you a pound which he did but it was all in shilling pieces, he said lend me back one of those shillings to buy a cigar, but that's the only cent that I ever got from serving under the Clerk of Courts for years doing his typing. Well, later years in 1980 every Friday and Saturday for loyalty I assisted the then Clerk of Courts and I prepared all kinds of papers. What made me give up going to Sunday was this, there was a murder and I had to do all the typing for that inquest and I said a christian, if I profess to serve the Lord Jesus Christ I cannot go where there is drunkenness that it will cause murder and from that day to this I have never gone to a dance.

MISS ANNIE H. BODDEN (CONTINUING): Now, Mr. President, I feel that when we have good people in the Civil Service we should not try to intimidate them, I would say. I heard over the radio asking for Chief Immigration Officer, a Director of Broadcasting. I feel, Sir, that we cannot do everything and if we have a proper Immigration Officer, whoever he might be and a good Director of Broadcasting, and a good anything that we should be content to leave them in their respective places until they can be suitably replaced by trained Caymanians.

Now, another thing that gets me annoyed is this, this Cayman Status business. I feel, Mr. President, that when we were allocating twelve people per year that we were doing right. I feel, Sir, that there should not be any concessions given because some man may come here and see Annie Bodden and knows she has a house and want to get into this Island say will they'll marry me, of course. Most women want husbands and them for that and that alone they marry women and they have people who can dig and any let's give them Caymanian Status because they're married to our daughter, do you think that's right? Then there are other people who are dangling on the string, have been here for years and cannot get Caymanian Status; that is not the right thing. We as legislators should not use any privilege that we might have to get stuff for ourselves and our family.

Now this Agriculture and Fishing. I remember, Sir, some years ago when we in opposition to some Members here decided that we would not collect the stamp duty of fifty thousand dollars and let Mariculture have that and give us shares, there was a pigsbur riot in this hall because we were doing something that was wrong. Just go and look at Mariculture today, look at it, it's one what I call the real tourist attraction and it only cost us that fifty thousand dollars, which all we had to do was to shut out the stamps, in turn we got some stamps back from them and it has been a great asset. So this is not the first time that it has been controversy in this House, it has been a continual warfare for the last sixteen years, as far as I'm concerned, but we have come through with flying colours.

Now, Mr. President, I cannot but agree that the Mosquito Control Project is one of the greatest assets that has ever happened to Grand Cayman. Well, when sometime ago they wanted a new, some machinery, I don't remember exactly what it was and I said we just couldn't afford to get but one, they wanted two, and the one they got, a Hi-Mac - I believe it was they called it, what did they name it? Miss Annie. Miss Annie, must be because it was big and pretty, that's the only reason I know because I did not oppose it. I feel that the Mosquito Control Unit, under the directorship of the present man, that he has done a marvellous job and I congratulate him on all the effort that he has done and put forward. Now I'm very sure, Sir, there are people who do not like him, why? Because anytime you can't boss everybody they are hated and that is not the right attitude.

Now this television, I don't know if that will come about or not, I don't know. Some people want it, some do not, some feel it will ruin us to the generations to come, I disagree. If it's like everything else, you can turn on the good or the bad. If they choose to turn on the bad well they'll get bad, but I feel, Sir, that it cannot do any harm.

Now, coming back to this television and the Cinemas. Mr. President, sometime ago with the past Government I was told some very insulting things and I promised never to go back to the theatre and I haven't gone. I thought I would like to go and see The Ten Commandments but I'm very sure I would have been watched and they would have said I'm going down to talk to Benson, so I wouldn't go, I have to be that careful.

MISS EMMIE H. HOUCKEN (CONTINUING): But a man came to my porch. I figured he must be one of the party. I don't know if they're like AA Auto or what you call it, party people, but one came to my porch two weeks ago to criticise one of my predecessors and he said if you had any ambition the chairman wouldn't be long the boy, he would have had his thumbs fixed up so white people could go there, I don't know which colours go to the chair but I don't go, but I'm saying this I will not allow you to criticise this gentleman because you just done telling me that the only thing not mortgaged to the bank is your wife and this man tells me he has six houses and that he does not owe the bank a cent. So I don't know how you can call him ambitionless and one who have helped to ruin this Government. This kind of gossip/talk/step if we are to progress and go further.

Now, Mr. President, one thing I have taken on myself to try to do and that is to keep the cemetery in George Town cleaned. I have spent hundreds of dollars out of my just earnings to get that place cleaned. The other day I bought two cases of white paintations and painted every grave that was in that cemetery, at my expense. And I see the corner of the fence broken down I was called and said 'you know the fence is broken down you'd better fix it', I said why should I fix it, why don't somebody else come forward and help me? And with all the money that I have spent on that place I have gotten two hundred dollars from the Government to assist, but I'm not blaming the Government for the condition that place is in, I'm blaming George Towners who have no pride, that is who I am blaming and I feel that we should be ashamed of ourselves to keep this town in such a condition that the public or outsiders must be asked to assist to clean it up.

Now, Mr. President, I am very concerned about the lack of water on this Island. I remember our dear departed friend here who was always talking that one of these days we would have an epidemic of dysentry or typhoid fever because of the lack of proper water. Well, I think, Mr. President, it's time that we look into this matter. I don't know all the ramifications and the figures and the stuff that I have heard about the past Government trying to spend, I don't they said it was, anyhow hundreds of thousand of dollars to get water. Well, I understand that that was not true. There was a man coming here who was making a survey, investing water and they barely accepted that survey, whether it's true or not I do not know, but I know this that the town was hurt. And I feel, Mr. President, that we should look carefully into this matter and no permission should be given to build any house, condominium, hotel, or anything unless there are proper facilities for storing water. I think it's a mistake to build these elaborate plans and no water, well it could be the means of any epidemic breaking out in our Island and what do we do then. Like us, those who are on the Planning Board, instead of making plans if they can't get a job they won't give permission to build, they'd better consider having proper storage facilities.

Now, Mr. President, another thing that I've heard, I'm petition crazy. I would like the public to know that when we had that abortive election in George Town in 1968 I wrote to Her Majesty the Queen myself without the aid of James Lawrence, John Jefferson or anybody else, I wrote that and I was telling the Administrator who went to London on that mission, that my letter was in the files of the Houses of Parliament the day the Queen gave her sanction for a new election in George Town. You hear about elections as if it was something disgraceful, but in any democratic country petitions can be sent and it's only in Cayman that such a talk is made about it. I have signed petitions and I will sign them anytime. I feel that it is needed. And it's not a thing that is against our democratic right, anytime we can address a petition, provided we put the language suitable to the occasion.

MISS ANNIE E. ADAMS (continuing): I knew when I, as it was said in this House, spear headed this petition about CAL, I didn't expect anything different. As what happened but at least it will go down in history regardless of the outcome of this CAL venture that I stood against it, and I didn't stand against it just to be an opposationist, I stood against it because I just could have always felt that this 3.5 million plus 2.5 million making six million cannot be sufficient to operate a service that we would want. I feel that and I'm very sure that I am right. All the figures that we have heard in this chamber this morning, if they're correct figures, although I don't know how they can be exposed today and when I asked a few days ago I was told it was a general company. I had no right to know. I am saying with the figures that I heard here this morning it is impossible for CAL to be a financial success. I hope it will give service no worse than Leeward gave and I'm not a rescue-ite or whatever you call them. I went one trip, the first trip of the CAL, and believe you me, the only time I would go back would be if they were flying passengers to heaven, but not to Miami or Fort Arthur. Now, nothing against CAL in particular, I just do not like planes and I have no intimation to fly because I haven't got to go any for anything. I have my mother and sister's graves I have my church, I have my office and I used to have this which I took the greatest pleasure in coming to this Assembly, but I'm telling you since Friday I had to foren myself to come back here Monday morning but I'm very sure that's what most of the Members have went to see, Annie Baddoo's next moment. So I have decided with God's help to stay here until the year 1920 but not a minute after that. New blood can take my place but I'm very sure they can't do the job that I have done.

Now, Mr. President, in this new year I look forward to great economic financially. With the air business being established I'm sure that it will not be a financial success in so far as bringing money into the coffers of this country is concerned, but it will be an asset if they get the morning bringing passengers to and fro. And I have nothing against it, that's what I want to make clear. I endorse anything that left progresse in this island but I believe in doing things the right way. I'm sorry now with the air business going, with the storage facilities at Little Cayman, and other things, that business is brightening up and we shall have more hotels I feel confident, Sir, that our economy shall develop and increase. What I would like to see is a change of heart in these Legislators who are so wicked to each other. Let them rise up and by the grace of God say we are going to put malice out of our hearts. You know I believe what Saul said "if at all possible live peaceably with all men", that's why today I don't be outrageous when I'm insulted and threatened because I know that thou God sees me and God sees the hearts of each and everyone of us and He will reward us accordingly. You know, Mr. President, if I had not been living under the fear of God the ninth day of November I would have voted different from how I voted, but I said to myself this one won't know, the other one won't know but God will know and I will be a liar if I make people believe I voted when I did not. So I was letting my balcon self get on top and I voted exactly how I said I would vote. Although Friday after the ninth of November I was told by a supporter of other people "he didn't have any cause to vote for you, Miss Annie, you would get in anyhow", I said "you stupid man, how could I..... interruption. (Time chopped).

Mr. President, the next subject I would like to touch on is this question of the swamp land. I have to agree with the Fourth Elected Member of Executive Council that the heritage of our fore-fathers was the land they possessed, and now I do not think it is right and fair that that land should be taken away from them by anyone.

MISS ANNIE H. HODGSON CONTINUING: I will agree, Sir, that the Development plan has been workable and they have done a marvellous thing in many areas. But I cannot agree that any land which was originally worked that the adjoining swamp land should be taken by the Crown or anyone else. The law in relation to, I think it is, specifically states that if you occupy the dry land that/adjoining swamp land you have have a right to that. And it has been the custom from the time I can recall that adjoining dry-land owners claim the swamp in between divided fifty, fifty and I must say that I do not agree that the Government has any to this swamp land. That was one of the big debates when it was enacted, 1970 or 71, that there was a proclamation that all swamp land belong to the Crown. That really started the stir up of this and I must say that I have to agree, although I don't think the Fourth Elected Member agrees too much with me, but I must agree with him that it is all perfectly right that that swamp land should return back to the landowners. I feel it is their heritage and we in George Town, more or less think that land was created, more while we need them in the mosquito bay or United States or somewhere. But the people who lived in the country parts, I would call it, their livelihood came from farming, the raising of cattle and the fishing and they used that swamp land, and I do not think at this late date that they should deprived of the rights. And I would ask very seriously that the matter be gone into and without resort to litigation that those who have proper documentsthat that land should be handed back to them without having to go to court. Now, mind you, Mr. President, that is of no interest personally to me because I haven't got any swamp land. All the six pieces of land that I have happen to be dry land, so it's not any personal benefit and I'm here to represent the people of the Cayman Islands and I feel that is their right.

Now, Mr. President, as has been stated in this chamber - we have two very able young Caymanians who are doing good work in two different spheres. I refer to the Deputy Registrar of Lands and the Registrar of Companies. I think that if we had, say fifty more Cayman young men of that calibre that we would not have to depend any people to do jobs because those young men are very qualified in their way and they are very attentive to their job and dedicated to their job, that is the point. You will go there, you won't see them watching the clock when it's three o'clock or four o'clock or five o'clock come to quit, they are dedicated to their work and I feel that young man of this calibre,and, of course,young ladies too, should be looked into and reckoned with and when it comes to any adjustment of salaries I have to agree with the Second Elected Member from George Town that that should be studied very carefully. And people who are doing a job,that is well being done,and that is a reliable, contribution to our country that they should be considered. Mr. President, in the past it's the poorest who suffer because in these days of inflation a man that only makes, say three hundred dollars a month they have to buy the same food stuff as those who make fifteen hundred, but when an increase comes those who get fifteen hundred or two thousand, whatever their fee or salary might be they get ten percent or five percent, they get much more than the lower type who only get the three or four hundred or the same may be. I feel, Mr. President, that we have gone as far as we can in trying to keep the Civil Service satisfied and I'm saying they must be encouraged. What would happen if one of these mornings the Civil Servants have to strike, our Government would collapse and we do not want that to happen. We want these people to put in their time to do the job but we must pay them to the best of our ability. And I feel that legislators have no business interfering with Civil Servants, that is your job, Sir, and it can only breed discord, it can only breed trouble. Let the legislators mind their business, keep within their bounds and don't think they're almighty because they have to be elected, let us keep humble.

MISS ANNIE H. BODDEN CONTINUING: I saw a letter in the famous papers where it was stated that some people have a wrong for pride we don't want that because pride can be our destruction, humility is what is counting, what will count, humility not pride. And we should be proud of one thing that we have a good, firm, stable Government built up on the reputation of the good old fathers we don't want to get away from God, we want our soul set right and that will bring us to the new Jerusalem.

But if we go on with hatred, malice, spite, calling Annie Bodden a dam old fool, a dam old woman that's not going to help the situation. I agree I'm a fool but I'm a fool for Christ's sake. I'm not an ordinary fool and as for being a servant if I had been a servant I wouldn't be here lecturing today because, Mr. President, from the very first day that I got in this Legislative Assembly an order began for me. We were to be sworn in, I think it was ten o'clock and that morning a known lawyer came to my office, "Ah Miss Annie I came to give you some advice", I said "what is it please", - "I want to tell you who to vote for on that Executive Council this afternoon, now you listen to what I have to say", I said "I am sorry, sir, I take my orders from men, I follow the dictate of my conscience, I vote who I please for". Now that wasn't good enough and later four coloured men were sent to my office being paid twenty-five pounds to come to intimidate me saying I must vote for so and so. Two got by the door to block the way, and two came up to my desk with bottles of things waving a knife for me and so, I said you better get out of here - well' they said I'll kill you don't.' Well, what saved my life was when the little maid that was staying at my house came up the steps, they heard her footsteps and they ran, that's what saved me. Well, about two weeks after that, Sir, I was sitting by my desk and a little boy about twelve years old came up and I thought as usual he had come to ask me to give him a threepence to buy candy, he pushed his hand in his pocket, took out what I thought was a gun or a revolver I had said - "Nine curse attack them up", I grabbed him by the hand and I dragged up to the police station screaming, when I got to the police station I discovered it was only a toy gun. We had been sent there to intimidate me, so I haven't had a smooth [illegible] in this Assembly. But I'm not a coward and I will not give up.

Now, Mr. President, one or two last thoughts and it is with regard to the dock. Now, Mr. President, if the dock is good or bad I was very instrumental in having that dock built in George Town. I campaigned and said we must get a dock, we must have it in George Town since we cannot have it in the North Sound but I was criticised, I was told some of everything and it didn't matter because I felt what I was right, and I had good opinion from all the old sea captains who told me that that was the proper place. Well, I said from the time, I told my colleague, "the dock cannot cost less than four million dollars, if it costs less than that I will eat it" and you know that was impossible. Well, we have a good dock if it was not even built to specification, nevertheless it's an improvement in our town. It is a beautiful dock to look at and I understand it's paying it's way, nevertheless if it's not even paying it's way it is an asset to our community and I campaigned in 1972 and, thank God, we have that.

Now, Mr. President, one last word back to this CAL. I have been called a liar because I said it didn't cost any money. It is like people who preach from the Bible, when they want you to believe something they say half the text, when they want you to believe another thing they finish it up. Well, they left out half of my text because I said no money out of the Treasury. I didn't say that the Lear plane operated free, I said that we did not take any money out of the treasury to operate that but that didn't suit the people, they just said that I was a liar and said it didn't cost money to operate.

MISS ANNIE A. NAUDEN (CONTINUED): So with that they blazed my name abroad as a liar and they forgot to say actually what I said. Now I am saying here today for the information of any person present here or they can take it abroad - I said it cost us no money from the Treasury, except our original investment plus the purchase of the extra shares.

Finally, Sir, the Wages Advisory Board. I'm a member of that and I must say another job in which I am severely criticised. But one question I would like to ask here today and it is this, who changed this law that we can sell rum Good Fridays? that's what I'd like to know because I see it in this same Compiles that you can sell rum Good Friday, to my knowledge that is against the law, and I would like that to be gone into.

Now, Mr. President, I feel that I have reserved some of the grounds that I would like to speak on. I am sure there are other legislators who want to say something, and I do not want it to be said that the men couldn't get in a word on account of me. I will close my debate by saying, vessel this - "a straight course, one ship arrive east, another drives west with the selfsame wind that blows. 'Tis the will of the exile - If wave we to set our sails right, and not the gales which tell us the way to go, like the winds of the sea on waves of fate as on the ocean along through life. 'Tis the set of a soul that decides it's goal and not the calm or the strife". Thank you, Sir.

MR. CHADDOCK EMMINS: Mr. President, if it was just to reply to one of the most magnificent Queen's speech I have ever heard in any one Assembly, I wouldn't have very much to say.

Mr. President, my remarks I wouldn't want you to think, Sir, that it's any flattery but I am attempting to bestow upon you when I said that - because I can assure you, Sir, that I follow the dictates of my mind and I have only attempted to do to the Chair, as do you the President of this Assembly what I've always done to others following the same procedure. It has just been recently mentioned that you're a good Resident, a good Governor while you're here. I can assure you, Sir, I don't have to smother the dictates of my conscience or my speaking. I can recall the words that I offered to your predecessor on the close of the last meeting - I told him I didn't get any sense while he was here and I don't have any to offer, but I would say different this morning, Sir, with respect to you. I have proved that you have stood for what is right, what is good and didn't hesitate when it was your duty to discipline. While I hope it was possible that you could spend many a year with us, you are human and all the working of your help and strength should not all be dedicated to this Assembly or to the people of these Islands.

Mr. President, it's very little I intend to say on your speech, your address to the Assembly. It appears to me that at your time in pregnancy the Lord must have given you a vision, he must have revealed to you he must have been with you because you have brought forth what was needed to calm and still the frightened minds of people and the rockey atmosphere as I would say, that was seen to be clouding our Island over the past weeks. You seemed to have found the words to meet every demand for this cause. What has been shocking, surprising to me, when the House opened on Wednesday that it wasn't enough space or the space in this gallery couldn't have taken care of the people, the privilege to hear for themselves against what or to weigh/to what they were told as what was happening to this Government, the rule that we were going in but to my disappointment it was on most of the time. Thank you.

MR. CRADDOCK BEGINS CONTINUING: Mr. President, when I pledged my vote, as always after each general election, I try to live within those votes that I have made and that is to try to help to build a better Government, a more stable Government, provide the best for our people, and I don't intend as long as I get my little common sense to do any different. If there's a time that Government should propose anything that I feel is not for the betterment of the country and the people, I would make a move to inform my people, the public, and the reasons why I disagree; but I can assure you, Mr. President, that I will never be seen on a public platform only moments from the public or candidates that they might have stood for election and lost their seats as to pulling me on the platform to protest what might not it be proved to be a detriment to this country. I would invite and accept a good Conservative advice from any member of the public, if they can point out to me where we look like things could be better or they see things that are going wrong tell me, but nobody is going to deny me on the platform against this Government that I have taken an oath to stand up for, to be a clean, democratic Government.

Why turn to these issues of a petition, applying to the queen to save our situation when there's no crisis, there's no epidemic, there's no disaster from storms, earthquakes. Why do we have to turn to our Majesty to save our lives, save the future of the country? Mr. President, in your knowledge, in your wisdom, in your know-how and when the constitution provides for you, Sir, the ability to act on behalf of this country, if and when it's necessary, rather than a petition being forwarded to you to go to the Queen, as far as I'm concerned an unreasonable terms.

A few months ago it was as much about the United Nations, it's the same way as a petition going around. It appears to me, Mr. President, like the propagandists in this country are far worse than the United Nations or any other term, because the United Nations have come straight and forward, straight, forward and said we feel that you need constitutional advancement, we said "no". Not I, the people said "no" and then yet these groups would get up and try to tell the people, the only thing can save the situation is reaching Her Majesty the Queen with a petition.

Mr. President, I'm not going to spend much time, but it's just about two hours from the Throne Speech that I'm going to deal with, but before closing I am going to seek your permission, Sir, to deal with a few other things that are very relevant to this country. The first from your speech would be Communications; this has been one part of Government that I've always been interested in, without communication then the country suffers; that's one of the reasons why we're endeavouring to try to continue to operate an airline, because we want good, fast communication. We don't have a navy, we don't have an army that would indicate our nationality, our flag in many other countries, so we feel that an airline operated and owned by this Government, by the people of this island, would be an enhancement, would be community to it's travel to draw the attention of the countries where it might go. I am not going to deal with that part of it, Sir, I just mentioned that as one of the lines of communications. Roads, telephones - roads have always been one of my pet subject over the many, many years as an elected Member. I suppose I have agitated, aggravated and grieved the Public Works Department and Members associated with roads more than any other Member, during their life in the Assembly. Well, we have covered a mass amount of territory in this direction - our roads are beginning to come to quite a high standard, with yet a lot more to cover, but good roads are very essential and I still find it possible sometimes to give a little bit of constructive criticism - some areas would be better looked after in my opinion than is, but I'm going to say this without flattery to the Public Works Department, to the Member responsible for roads, that we seem to be doing more with less money now than we have done for a long, long time in dealing with roads.

MR. HADDOCK FRANKS(CONTINUING): The Member recommends it very curious to look into every avenue and to see what might be done the quickest way, the best way and the fastest way to get more of this road work done. You made mention in your speech to somewhat the amount of roads that would be done this year, the areas, and the type of roads and that's already quite underway. Being in the fourth month of the year there's quite a lot of work that has already been started along this project and I do feel, Sir, by the end of the year that according to their plans, their programmes, our road work will be well taken care of. When it was proposed from months, in the month of December that a bit of road clearing could be done by putting it out to the different communities to help for a little Christmas uplift to families, even that was criticised and rejected by some people - in fact, I think, Mr. President, I understood you had a delegation on that objecting to such expenditure as that. I could prove to you, Mr. President, that money that was estimated to be spent in North Side, particularly on the painting of the buildings, Town Hall, Clinic, Post Office - the estimated amount was something like about thirteen hundred and fifty dollars. Fifty-odd gallons of paint provided for this, and when the buildings were all completed, and I think it was a very good job, I looked at it - the man responsible for this returned to Government fifteen gallons of paint unopened, and the project was done for something between seven and eight hundred dollars; in other words Government saved another five out of the six hundred dollars on it. Now can some people be so unreasonable to feel that the community shouldn't be helped with their own money, because it's taxpayers money and every individual drops in their penny to build up this. So I trust, Mr. President, the road programme will continue to develop and go along as smoothly and as fast as it is today.

I'm one area of communication I'm not so happy about, it appeared for sometime we've been held at ransom, the meeting districts, North Side and Bush Hill for more telephones. We have been made to understand that over the past two years you couldn't have any more telephones until an exchange was built in each one of these districts. Well, the exchange in North Side, according to what I was told, was supposed to have been completed about in the middle of last year and until now it's not touched yet. And I feel the reason why they didn't go about it before because they couldn't get the increase in rates that they wanted so they held the two eastern districts at ransom. After they couldn't ride Government down to where they would put what they wanted, they said, well, alright we will put in the exchange now - how soon, I don't know, but I suppose another eighteen months we may get the exchange and house to house then will be hooked up. I can say, Mr. President, that the Member responsible for this we will have been working very hard on it, he has listened quite tactfully to my grievances in this field and I don't intend to over-burden him but I will remind him, Sir, that I will keep reminding him of this and expect him to do everything that is within human to help speed this on. So that, Mr. President, is nearly as much as I would saying out of your throne speech.

Mr. President, we got what seems to be a problem in this country over the last couple of years with licensed premises, liquor premises I am talking about. I saw in the Compass recently, I think where the Chamber of Commerce is suggesting that the Liquor Licensing Law should be changed to allow, probably, the Commerce to select members to serve on the Board. Mr. President, in my humble opinion, my humble thinking, it's too many people that don't have the right to a Cayman status, and they're not Caymanians, even though they may be doing a lot of business in this country, they don't have any right to dictate to this Government, to this community any law that should be amended to meet the dictates of their mind and the way that they would like to see things go. And I protest any of these dabbling into the affairs of this country.

MR. CHADDOCK ENJOYS HOSPITALITY: It's no hours that you can set that they're satisfied with. They don't even seem to be satisfied with a twenty-four hour service, so I don't know then what would be the reasonable hours.

I have met many of the Ambassadors that come to this country and they have expressed their feelings; the reason why they want to do business in this country because it's a clean, stable, good, political relationship and what has made that, Mr. President, is what is on that motto over your head; then is what built this country, and I am going to tell you, Mr. President, that there are some things that some of our people are wanting, but if I had the opportunity to live a thousand I wouldn't bow to some of the things that they would want. Because if they got just all they wanted then we wouldn't have no need for what up there and we wouldn't have on the outside what we would like to have, the morals that built that. And I am saying this, Mr. President, without any fear or favour of contradiction or any apology a lot of influence that exists in this country, it's a dollar and descrimination for the morals.

A few months ago the chairman of the Cinematographic Board called the Board and was told that - it was a cinema group - it came up at last they had found a religious picture they would like to show, they would want to select their audience as to who they would like to see it and asking permission to show this on Sunday, the Board in it's wisdom turned it down. A few weeks after that, I saw it in the papers where it was being advertised and then my, If that's a good, clean, religious picture then I wouldn't like to see a dirty religious one. If it was a good religious picture why not show it at any hour of the night rather than wanting Sunday. It was then one other attempt to drive the thin edge of the wedge in to try to get movies introduced in this country on Sundays. Mr. President, as long as I am a member of the Board, it will never happen and I'm not going to answer for anybody else. Again that's what built this up there, I'm not talking about christians, I'm talking about a religious background, a religious foundation, a belief in God to what made this country, and if we're going to leave this to the whims and fancies of people to make quick money, then the country will suffer and I guess the demonstrations will start then, because we won't have anything else left when the morals are gone. They talk about showing a family picture on Sunday, what matters the family would see on Sunday that they can't see on Monday till Saturday?

The same with the bars. The poor tourists are so maligned I would say, as a defense in attempting to get extra hours on Sundays for the opening of premises and in my opinion ninety-eight percent of tourists that come here a drink on Sunday wouldn't bother them the least bit. Where the biggest problem comes with that is our own people, the management of these places, they feel that it should be opened on Sunday, it's not the tourists.

Out in Miami a few weeks ago, the hotel I was staying in - it's an eight storey hotel. I asked the bar management what was their week-day hours and at that time that hotel was filled because they had the sign at the door "no waiting" it's full - he said Monday through Saturday 2 a.m. till 2 a.m., on Sunday it's 1 p.m. till 2 p.m. Well, in Miami they have more tourists in one month than we have a whole year and the hotel that is filled with tourists, an eight storey hotel, I wasn't either one of the tourists, they got from 1 p.m. Sunday till 2 p.m. I don't know whether they get them for drinks for their dinner, like they try to say here, they won't eat dinner unless they got drink and they won't get their dinner till ten o'clock, though that it needs to be opened till one o'clock in the morning.

MR. MCANNUCK BRANKS CONTINUING: I looked on one of the licenses of one of the local bars in Miami at the same time and this bar had on the license displayed on the door "11 a.m. to 12.30 a.m., Monday thru Friday - Saturday 11 a.m. to 1 p.m. - Sundays - closed", yet it's a criminal act,according to most of the managements in this place,to attempt to open their premises on Sundays. And when many of these operators come in here they/are opened on Sundays. I will give this motion now, Mr. President, Members will have a long time to think about it for the next three months - I will be bringing a motion in this House asking that the Liquor Law be amended that no bars, no liquor premises, licensed premises be opened on Sundays. The tourists will can't live with that we can live without them, Sir.

Education, Mr. President, I'm not going to debate on that but I just want to say that much has been said, a lot of facts - mention has been made of the happenings up on the school a few weeks ago with five boys and I am very disappointed, not that I would have liked to have known that that happened to my district, but for all five boys to be from my district, I feel bad about it. They were suspended,and if I understood right from the question that was asked in connection with that a few days ago,they're still suspended. I am not attempting to accuse up wrong, but I feel that the Board or the Council whatever it is, the educational council should have dealt with this before now,and made their decision on their finding to whether these boys should go back to school or not, but not to be left hanging in the air and the boys roaming the streets and the parents in agony and disturbed as to knowing what will happen. I feel that that is very unfair to the boys and that this should have been looked into and whatever was the ruling, well, then the parents would have to accept. But I don't think that they should continue just to let it drag and drag on to how long, I don't know, then we'll know whether the boys should go back to school or not.

The Cayman Protection Board and this Cayman Status, Mr. President, I'm getting somewhat disturbed about that. We're not going to get rich with people getting Cayman Status, we're going to have more problems. I'm not trying to say, Mr. President, that there would not be a genuine case or a number that would benefit this country,but it's a lot that is attempting to obtain Cayman Status but isn't going to do/any good. We got a lot of people living in this country that/really knowanything about us/ I feel, Mr. President, the time is ripe , the time is at hand when Government should make every effort to have every individual or a foreigner living in this country registered and supplied with an identification card so that they can be located, know their position, know their whereabouts and what they're doing here, and for what reason. I think this is being somewhat overdue and it should be looked into.

Mr. President, from your Throne Speech from the past 77 and as you see it for the 78,it's all on it's upward trend. There seemsto be no drastic setback or failure,as it were in our attempt in trying to make every provision, everything we can do for the country to develop,and it's my intention, Sir, to give my support, my help, my time,to it's fullest to help build this country that it will be a better place and continue to grow and serve our people,that the jobs will become more available, and the only way that we can have more jobs for our people is by development, the growth, the expansion,and this is very much needed,because each year we realize that our school leavers are increasing and it's not as easy to go out, look or to further their education in the professional fields,the regular ones would turn to regular jobs or ordinary jobs. So we do need a growth or our development to continue to expand,so that our school leavers and young people will be able to find their way, their place in to obtaining a livelihood in our own country. So I give you my assurances, Mr. President, as long as health lasts,and I'm in this House, I will give my support to everything that I feel is a benefit and is good for this country and to do to the best of my ability to uphold this and stand for what I feel is fair and right and just for the country. I thank you, Sir.

MR. PRESIDENT: I don't know how many speakers are left, whether we should suspend until two-thirty or try to complete the debate.

HON. CHARLES L. KIRKCONNELL: I think, Sir, I'm the last one and I believe I could wind it up in about ten minutes.

Mr. President, I am certain that at no time in the history of this honourable House have Members and people of our Island been so encouraged and inspired as they have been since you delivered your 1978 throne speech. The clear and concise manner of your Speech leaves little room for doubts. I congratulate you, Sir, for a job well done.

The present elected Members of Executive Council have differed in their approach to the problems besetting Government from the previous elected Members and this has naturally caused/led to a lot of misunderstanding which I am sure will soon fade away.

Our future economically looks very promising, and the continued increase of banks and companies being registered shows faith and confidence in our country. There is an increase in the ship to ship transfer of crude oil which continues to provide jobs for our people and revenue for our Government. The despair and hopelessness of the people of Cayman Brac has turned to one of hope and confidence.

The recent signing which will permit Cayman Energy Limited to construct a shore installation is yet another great step forward in the right direction. Mr. President, I must again express my gratitude to you and also to our dedicated and hardworking Financial Secretary and Attorney General. The oil franchise, I am sure, will make history in our Island and our endeavours will have an instrument to work with in the years ahead which will be held in high esteem. I believe that the establishment of the shore installation will revive Little Cayman and Cayman Brac and bring back some of our people who contributed so much to the well-being of our Island, but who had to leave our shores for economic reasons.

One of the greatest benefits that could stem be derived from the new industry is the reuniting of families. At the present time most of our men have to go abroad to provide for their families, leaving their loved ones behind for long periods. Those who have had to do this will appreciate what I am saying. The Oil Terminal and investment of approximately one hundred million dollars will be the biggest investment this country has ever known and should alleviate all unemployment problems in Cayman Brac and Little Cayman and absorb a substantial number of people from Grand Cayman. I do not believe that one can contemplate the importance of this project on the economy of our Islands. The spin - off benefits are too numerous to name, and in my opinion, will exceed the revenue which Government hopes to derive.

The development of the two Sister Islands has been neglected in the past as it was Government's policy to concentrate on the development of Grand Cayman first. As mentioned earlier by the Member responsible for Health, Education and Social Services, Cayman Brac and Little Cayman received twenty-one percent of the capital expenditure for 1978. I am sure, Sir, that this is the first time that the Sister Islands/ have received such high percentage. I am indeed grateful for this consideration and the people of Cayman Brac and Little Cayman also appreciate it.

The time has come, Sir, when this Government must make good the past neglect and bring up the standard of living equal to that which is enjoyed here. If neglected this will surely lead to trouble. As long, Sir, as we have elected Members like we do at present, Cayman Brac and Little Cayman need have no fear of this happening. However, the future should never be taken for granted.

HON. CHARLES L. KIRKCONNELL (CONTINUING): I would like to see Government work out a system whereby a certain percentage of our revenue is allocated each year to the Lesser Islands for expansion and development.

Mr. President, I have been listening to various Members debating the school system and discussing what we should and should not do to remedy the numerous problems there. I have heard several verses of scripture quoted during the debate. That good book called the Bible can solve all of our problems if we reverently and prayerfully search it for solutions. I wonder, Sir, if anyone has ever asked God for the guidance and help in solving the High School's problems. We are constituted a christian community and it is a shame that the largest school in our Island does not have a chapel in which it's students can go and worship God. I would like to throw the challenge to all concerned and in particular to the past and present students. Everyone, Sir, has been impressed with your Throne Speech, and in particular the last paragraph. Three Members have seen fit to quote it, that I would like to draw everyone's attention to your expressed hope that we seek divine guidance without which we cannot succeed. Let us not look to our schools and make Him the centre of our educational system and in our lives.

The Government has a proposal for the granting of a franchise to supply potable water to the Seven Mile Beach, to George Town and West Bay areas. However, the Government must be satisfied that the proposal is viable and will meet the future demands of our people. So this will be done to solve this problem of which Government is very much aware. The proposal is at the moment under active consideration by this Government. As mentioned, Sir, in your Throne Speech a Water Control Law to protect the main lenses of fresh water is to be prepared and enacted during the year.

The road programme under capital works, 1979 was drastically reduced in order to balance the budget. Priority was given to the reconstruction of roads within such districts. To date the road programme is on schedule and will be completed by the end of July. It is hoped at that time that more funds will be provided so that we can get on with other improvements.

I am very grateful to the Member from North Side for his kind remarks, and Mr. President, he has been a source of strength to me in my efforts to make the road and to satisfy all Members in the outlying districts which hitherto there has been numerous complaints and a lot of dissatisfaction. I am aware him and others that I am doing my best and will continue to do so as long as I am here. I have noticed or made note of what the Honourable Member had to say about the telephone exchange at North Side. We met earlier this year with a delegation from the Cable and Wireless W.I. Head Office and they are going to submit to this Government a scheme for the next five years. However, Sir, prior to this, the manager of Cable and Wireless assured me that the exchange at North Side and East End would be built before this programme which the two delegates are going to present to us at a later date. I shall do all in my efforts to see that the exchanges referred to are built without any delay.

The Public Works Department is responsible for new building contracts for the department of Health, Education, and Social Services including new classrooms, additional facilities for the hospital and the new prison and staff quarters which are to be built in the near future. The new prison will ease the strain on the George Town Prison and will eliminate the problem of having to send our prisoners to Jamaica. Public Works will also build a Police sub-station at North Side and will make an extension to the Bodden sub-station at West Bay.

HON. CHARLES L. KIRKCONNELL (CONTINUING): Mr. President, it was an honour and a privilege to have represented the Cayman Islands together with the acting Governor, Mr. Duncan Foster and our wives during Her Majesty's visit to the British Virgin Islands on the twenty-sixth of October, 1977. The Government of the British Virgin Islands gave us a warm welcome and did everything to make our stay pleasant and memorable. We are indeed grateful to them.

Mr. President, your words of wisdom and guidance will be needed in the years that lie ahead. I am proud to be a Member of your crew and assure you, Sir, of my loyal support.

MR. PRESIDENT: Well, the motion for the Assembly is "be it resolved that the Honourable Legislative Assembly records its grateful thanks to His Excellency the Governor for the gracious address delivered at this meeting". If there are no further speakers I'll put the question.

QUESTION PUT: AGREED. THE MOTION WAS PASSED.

CAYMAN AIRWAYS

MR. PRESIDENT: I noticed that the Member who spoke on a paper about Cayman Airways is not present to present it and I don't know whether the First Elected Member would like to move, under Standing Order 10 (2), that that paper be laid.

HON. TRUMAN M. BODDEN: Mr. President, I'm afraid that I don't have any instructions in this matter now as I have the paper. Though I would prefer if the Fourth Elected Member would perhaps deal with it. I'm just really not sure of the situation, Sir.

MR. PRESIDENT: I think we'll get the Serjeant-at-Arms to see if the Fourth Elected Member is in the House.

HON. V.G. JOHNSON: Mr. President, in the meantime could I enquire of Members, whether they would like to meet in the Finance Committee immediately following the adjournment or whether they would like to have it until this afternoon after lunch. We could meet perhaps at two-thirty or three. I would be willing to meet now after the adjournment.

MR. PRESIDENT: I think the Fourth Elected Member is not in the House at present but I think this can be got round if he wishes to release the document publicly, he's at liberty to do so and it could be laid on the table at a subsequent meeting. Meanwhile would Members like to record whether they wish to meet in Finance Committee now or later this afternoon?

MR. CRADDOCK EBANKS: Mr. President, I would suggest that we meet now, if other Members will agree.

MR. PRESIDENT: I think the Honourable says that the meeting of Finance Committee should be held as soon as the Assembly adjourns.

ADJOURNMENT

MOVED BY HON. D.E. FOSTER.

MR. PRESIDENT: Before I put the question, I would like, on behalf of Members to thank the Clerk's office for their usual secretarial/ the meeting and thank Members for a very constructive meeting as I have taken it from sitting on the Chair.

QUESTION PUT: AGREED. AT 1.20 P.M. THE HOUSE ADJOURNED SINE DIE.

SECOND MEETING OF THE (1976) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON WEDNESDAY, 14th JUNE, 1976

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. D. H. PORTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID P. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES.
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
HON. JAMES M. DOOLEY	MEMBER FOR TOURISM, AVIATION AND TRADE.

ELECTED MEMBERS

MR. BENJAMIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLENE L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MISS ANNIE H. BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MR. CHADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

CAPT. K. P. TIBBETTS, J.P. AND MR. GEORGE C. SMITH - ABSENT, ATTENDING 14th CARIBBEAN REGIONAL CONFERENCE, TRINIDAD & TOBAGO

ORDER OF THE DAY

SECOND MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY
COMMENCING WEDNESDAY, 14th JUNE, 1978

1. PRAYERS: REV. JOHN E. GRAY, M.B.E., B.Sc.

2. QUESTIONS:

MR. GARSTON SMITH OF WEST BAY TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE AND NATURAL RESOURCES.

NO.I. Would the Member say whether in the district of West Bay there exists a cattle dip or cattle dips for the control of ticks? If the answer is in the affirmative would he say:-

(a). Where the cattle dip or cattle dips are located and whether these are located on Government or private owned property

(b) How much money was spent by Government in the building of these dips?

MISS ANNIE MULLAN HODDER OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

NO.II. Will Government state what amount has been expended to date on refurbishing some building on the ICCI Compound?

NO.III. Is Government considering the possibility of establishing a proper canteen and a Swimming Pool on the Comprehensive School Grounds in the near future?

NO.IV As crime among juveniles is apparently on the increase in Grand Cayman, will Government consider amending the law and making the punishment more drastic, in an endeavour to curb this criminal trend among the youth of our Island?

3. GOVERNMENT BUSINESS: -

BILLS:

(a) The Cayman Islands Public Library (Amendment) Law, 1978 First & Second Readings
(b) The Marriage (Amendment) Law, 1978 do.
(c) The Town (Miscellaneous Repeals) Law, 1978 do.
(d) The Misuse of Drugs (Amendment) Law, 1978 do.
(e) The Education (Amendment) Law, 1978 do.
(f) The Evidence Law, 1978 do.
(g) The Births and Deaths Registration Law, 1978 do.

GOVERNMENT MOTION NO.4 - CAYEY INVESTMENT COMPANY, LTD.
TO BE MOVED BY THE FINANCIAL SECRETARY

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WEDNESDAY, 14th JUNE, 1978

10.00 A.M.

PRAYERS

MR. PRESIDENT: I shall ask the Rev. Gray to say prayers.

REV. JOHN R. GRAY: Let us pray. Almighty God from whom all wisdom and power are derived, we beseech Thee so to direct and prosper the deliberations of this Legislature now assembled, that all things may be ordered upon the best and surest foundation 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, Elizabeth the Queen Mother, Philip, Duke of Edinburgh Charles, Prince of Wales and all the Royal Family. Give grace to all who exercise authority in the Commonwealth that peace and happiness, truth and justice, religion and piety may be established among us. Especially, we pray, for the Governor of these Islands, Executive Councillors, members of the Legislature, that they may be enabled faithfully to perform responsible duties of their high office. Through Jesus Christ our Lord, Amen.

MR. PRESIDENT: Proceed straight away with questions.

QUESTIONS

MR. CARSTON SMITH OF WEST BAY TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE AND NATURAL RESOURCES

NO. 1. Would the Member say whether in the district of West Bay there exists a cattle dip or cattle dips for the control of ticks? If the answer is in the affirmative would he say:-

(a) Where the cattle dip or cattle dips are located and whether these are located on Government or private owned property

(b) How much money was spent by Government in the building of these dips?

ANSWER Government leases two parcels of land in West Bay for cattle dips. One parcel is located on North Sound Road near the Mt. Pleasant Road junction. The dip on this land was built in 1960 but it has not been used for many years. The cost of construction is not known. The other parcel is located on Mr. John Bothwell's farm. A spray race was built on the land in 1974. The cost was approximately $3,000.00.

SUPPLEMENTARIES

MR. CARSTON SMITH: Supplementary question, Mr. President. Could the Hon. Member say why has not the public been made aware of such a facility by the Agriculture Department?

HON. HAIG BODDEN: The spray race was built in 1974 and it is my understanding that at that time a notice was put in the newspaper to this effect. I have not seen the notice.

MR. CARSTON SMITH: Another supplementary, Mr. President. Could the Hon. Member say who or what Government official authorized the building of this cattle dip?

HON. HAIG BODDEN: As mentioned earlier, this spray race was long before my time but it appears from the records that the Member at that time responsible for Agriculture was consenting unto this spray race being located in its present site.

MR. CARSTON SMITH: Another supplementary, Mr. President. Could the Honourable Member say who is the person responsible for the operation of this dip?

HON. HAIG BODDEN: The person responsible is the Director of Agriculture and under the terms of the lease, Mr. John Bothwell would be the person in West Bay to whom farmers would go at the time they're about to use the spray race.

MR. CARSTON SMITH: Another supplementary, Mr. President. Is the Honourable Member aware that there is a derelict cattle dip situated on Government property in West Bay that could have been renovated and restored for the use of cattle owners in that district?

HON. HAIG BODDEN: The first part of the answer made it clear that there is a cattle dip on the junction of the Mt. Pleasant road. I understand from the Director of Agriculture that this dip has not been used for many years by the farmers but it still holds water when it rains and this would mean that it could be used and as a cattle dip. However, I understand from the Director that the farmers of West Bay mostly use hand-guns to spray their cattle and there has not been any pressure for Government to reinstitute the use of the old dip which was built in 1950. Incidentally, that's the year I was born.

MR. CRADDOCK EBANKS: Mr. President, a further supplementary. I wonder if the member would have any knowledge at this time as to the lease rates, what it's costing to pay the lease per annum?

HON. HAIG BODDEN: The lease for the land on which the spray race is located is a very nominal figure. It is $13.00 per year. The other lease entered into in 1980 is $6-$8.00 per year.

MR. CRADDOCK EBANKS: Mr. President, a further supplementary. I wonder if the Member can say if the public has free access to the spray that has been recently established in West Bay on ten been mentioned on Mr. Bothwell's property. If the cattle owners have the privilege then to use the spray as they so desire?

HON. HAIG BODDEN: The answer is yes. Under the terms of the lease, provision was made for Mr. Bothwell to give to members of the public access to the spray race. I don't suppose it is necessary for me to read the exact words of the lease but provision is there for the owner of the land to give to the public access to the demised land, that is, the land which has been leased for the spray race.

MR. CRADDOCK EBANKS: Mr. President, this is a question and a remark all in one I would say. Then if Mr. Bothwell has been paid lease for this on his property, it seems then it's left to his discretion to whether he would want to allow you, Nick or Sonny to use this facility and I feel if it is public money, tax payers money being used to pay this lease then there should not be any attempt made at discrimination -not saying that it is- but I think we ought to guard against it.

MR. PRESIDENT: I think that may be taken as a question. Does it lie within the discretion of the land owner?

HON. HAIG BODDEN: Mr. President, I think I can answer the question. According to the terms of the lease, it is not discretionary for Mr. Bothwell to allow people on the land. I would say the terms of the lease are very clear and make it mandatory for Mr. Bothwell to allow people on the land and I can read that section: "And the lessor hereby covenants with the lessee at all times to give the lessor, that is , Government, and members of the public, together with their cattle and other appropriate animals, access to the demised land over the said private road for the purpose of using the said spray race." If Mr. Bothwell attempted to deny members of the public access to this spray race he would be in breach of the lease and subject to whatever penalties the court might impose for a breach of contract.

MR. CRADDOCK EBANKS: Mr. President, two facilities are established for the one purpose. Both areas are being paid for under a lease. I don't quite understand why one of these facilities should be under such an agreement in black and white and not the other; then if they're for the same purpose for the same people, what is good for one is good for both.

HON. HAIG BODDEN: Mr. President, I think the reason for this is that one of the dips was built 30 years ago while the other one was built just four years ago and the conditions prevailing at the time when the agreements were

HON. MAJ. MOODEN (CONTINUING) entered into seemed to have changed with the passage of time and I believe this is the reason why the works been arrangements appear to be different from the 1980 arrangements.

MR. CRADDOCK EBANKS: I won't pursue any further, Mr. President.

MR. PRESIDENT: If there are no further supplementaries we can move on to the next question.

MISS ANNIE HILDA BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER FOR TOURISM, TRADE AND AVIATION

NO. II: Will Government state what amount has been expended to date on refurbishing some building on the ICCI Compound?

ANSWER: Amount expended to 8th June, 1979 is CI$3,444.00

SUPPLEMENTARIES

MISS ANNIE BODDEN: Mr. President, I should like to ask the following supplementary question. Was there not available on the Comprehensive School Compound some place where these classes could have been taught?

HON. JAMES BODDEN: The answer is no.

TO HONOURABLE MEMBER OF HEALTH, EDUCATION AND SOCIAL SERVICES:

NO. III: Is Government considering the possibility of establishing a proper canteen and a swimming pool on the Comprehensive School grounds in the near future?

ANSWER: Yes.

SUPPLEMENTARIES

MISS ANNIE BODDEN: Mr. President, could the member advise just how soon will this be or do it in the distant future?

HON. TRUMAN BODDEN: The answer, Mr. President, is when sufficient priority can be put on the project having regard to the economic restraints within the Island and the revenue of the Government at that specific time having regard to the other projects at the school, Sir. I can give no specific time, Sir.

MR. CRADDOCK EBANKS: Mr. President, if I may ask a supplementary, would the Member say what is the importance of having a swimming pool on the High School compound?

HON. TRUMAN BODDEN: The importance, Mr. President, is that it will be a part of the athletic facilities there and it will be part of a future complex in relation to athletic activities.

MR. PRESIDENT: If there are no further supplementaries we can take the last question.

TO HONOURABLE MINISTER FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO. IV: An crime among juveniles is apparently on the increase in Grand Cayman, will Government consider amending the law and making the punishment more drastic in an endeavour to curb this criminal trend among the youth of our Island?

ANSWER: Government has considered and continues to consider corrective measures to reduce crime among the youth of our Island.

SUPPLEMENTARIES

MISS ANNIE BODDEN: Mr. President, I should like to ask a supplementary question. What are the measures that are being considered?

HON. TRUMAN BODDEN: Mr. President, the measures which are being considered at this stage are extension of Section 14 of Law 16 of '75 and extension of the Probation and Welfare Department's activities and the bringing in of a Truancy Officer among the possibility of an improvement in the school attendance system, Sir, as a result thereof.

MISS ANNIE BODDEN: Mr. President, with your permission, I should like to ask the following supplementary question. Is it not thought advisable that instead of having the parents put under a bond that some stricter restriction should be put on the children themselves?

HON. TRUMAN BODDEN: Mr. President, perhaps I could ask for clarification of that question. I don't know if the Lady Member is referring to the bonding under Section 14. Is this what you mean?

MISS ANNIE BODDEN: That's it, Sir.

HON. TRUMAN BODDEN: Then, Sir, in one of natural measures which the Juvenile Court has to consider and if they believe that corrective measures can be more properly administered or more properly introduced them they will incorporate thisalong with some other type of punishment mentioned therein, Sir. It is not exclusive - I think it is an inclusive part of the Section, Sir.

MISS ANNIE BODDEN: Mr. President, I should like to ask a further supplementary question. Would it surprise the Member to know that in most of these instances when these boys and/or girls have committed a breach of the law that, in most cases, the parents employ high-paid lawyers and defend the children and it amounts that they are not properly punished as they should be.

HON. TRUMAN BODDEN: Mr. President, I think that's perhaps more a statement but I would make one observation. The Lady Member is a lawyer and she knows the duties of counsel and I'm sure she would bear them in mind having regard to the history of the subject, including the juvenile subject, when she perhaps sits in at the Juvenile Court, which I have not been privileged to do under the law, Sir.

MISS ANNIE BODDEN: Mr. President, for the information of the Member, I have never sat in on the Juvenile Court or on Attorney at law, merely as an observer and I can assure you, Sir, that the measures meted out to these children are not sufficient to curb their kind of crime.

THE CAYMAN ISLANDS PUBLIC LIBRARY (AMENDMENT) LAW, 1978

FIRST READING

CLERK: THE CAYMAN ISLANDS PUBLIC LIBRARY (AMENDMENT) LAW

MR. PRESIDENT: The Cayman Islands Public Library (Amendment) Law is deemed to have been read the first time and is set down for the second reading.

SUSPENSION OF STANDING ORDER 48

CLERK: THE CAYMAN ISLANDS PUBLIC LIBRARY (AMENDMENT) LAW

HON. TRUMAN BODDEN: Mr. President, under the provisions of Standing Order 48, I beg to move that Standing Order 48 which provides for the reading and gazetting of Bills, be suspended. Sir, Sir, I assume you're going into the Second Reading?

QUESTION PUT: AGREED. STANDING ORDER 48 SUSPENDED

SECOND READING

HON. TRUMAN BODDEN: Mr. President, I beg to move the second reading of a bill entitled the Cayman Islands Public Library (Amendment) Law.

Mr. President, I don't wish to make any statement on it beyond the fact that it is a very brief law updating the penalties.

MR. PRESIDENT: The question is that the Bill intituled The Cayman Islands Public Library (Amendment) Law be read the second time. The motion is open for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING

THE MARRIAGE (AMENDMENT) LAW, 1978

FIRST READING

CLERK: THE MARRIAGE (AMENDMENT) LAW, 1978

MR. PRESIDENT: A Bill intituled... The Marriage (Amendment) Law, 1978 is deemed to have been read the first time and is set down for second reading.

SECOND READING

CLERK: THE MARRIAGE (AMENDMENT) LAW, 1978

HON. V. G. JOHNSON: Mr. President, I beg to move the second reading of a Bill entitled The Marriage (Amendment) Law, 1978.

Mr. President, the object and reason for this bill- It is desired to publish the Marriage Law in revised form, but before doing so the scale of fee contained in the schedule needs to be revised and it is the intention that before the Marriage Law in amendment form is published that the fees are revised and this amendment Law is merely to deal with that aspect of it, to amend the fees to bring it in line with the current money values. I therefore ask Honourable Members to support the Bill.

MR. PRESIDENT: The question is that the Bill intituled The Marriage (Amendment) Law, 1978 be read the second time. The motion is open for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE LAWS (MISCELLANEOUS REPEALS) LAW, 1978

FIRST READING

CLERK: THE LAWS (MISCELLANEOUS REPEALS) LAW, 1978.

MR. PRESIDENT: A Bill entitled the Laws (Miscellaneous Repeals) Law, 1978 is deemed to have been read the first time and is set down for second reading.

SUSPENSION OF STANDING ORDER 46(1)

CLERK: THE LAWS (MISCELLANEOUS REPEALS) LAW, 1978.

HON. DAVID BARWICK: Mr. President, Sir, I beg formally to move, under the provisions of Standing Order No. 83 of the Standing Orders of this Honourable House, that the provisions of Standing Order NO. 46 be suspended in relation to this Bill in view of the fact that the seven days required under that Standing Order did not appear to me to have elapsed since it was circulated to members, Sir.

QUESTION PUT: AGREED - STANDING ORDER 46 SUSPENDED.

SECOND READING

HON. DAVID BARWICK: Thank you Mr. President, Sir. I beg to move that the Bill Entitled The Laws (Miscellaneous Repeals) Law, 1978 be now read the second time.

The Bill, Sir, is a tidying-up measure and seeks to remove from the statute books of these islands a number of unrelated laws, some of great antiquity, but none of which now have any useful function to perform. I do not think it is necessary, Sir, to deal separately with each of the individual laws that this Bill seeks to repeal but the Bill as a whole, Sir, represents another step towards the goal of bringing our statute laws completely up-to-date in a single number of loose leaf volumes in a form readily amenable to everyone. A number of other old laws are now being examined and it is likely, Sir, that I will be moving another Bill similar to this one later in the life of this Assembly. Sir, I beg formally to move that the Bill entitled The Laws (Miscellaneous Repeals) Law, 1978 be now read the second time.

MR. PRESIDENT: The question is that the Bill intituled The Laws (Miscellaneous Repeals) Law, 1978 be read the second time. The motion is open for debate.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE MISUSE OF DRUGS (AMENDMENT) LAW, 1978

CLERK: THE MISUSE OF DRUGS (AMENDMENT) LAW, 1978

FIRST READING

MR. PRESIDENT: The question is that a Bill intituled The Misuse of Drugs (Amendment) Law, 1978 is deemed to have been read the first time and is set down for second reading.

CLERK: THE MISUSE OF DRUGS (AMENDMENT) LAW, 1978

SUSPENSION OF STANDING ORDER 45 (1)

HON. TRUMAN BODDEN: Mr. President, under the provisions of Standing Order 82, I beg to move that the provisions of Standing Order 45 relating to gazetting specifically be suspended.

QUESTION PUT: AGREED - STANDING ORDER 45 (1) SUSPENDED

SECOND READING

HON. TRUMAN BODDEN: Mr. President, I beg to move the Second Reading of a Bill entitled the Misuse of Drugs (Amendment) Law, 1978.

Mr. President, this Amendment deals only with the provisions of Section 14 of that Law which are the penal sections. It seeks to amend the fine and the penalty in relation to confiscation of vessels, and under this, Mr. President, vessels have been defined very widely as including aircraft, hovercraft and any vehicle or thing in which anything may be carried, stored or secreted. It will move the fine from $2,000.00 up to $200,000.00 and will bring in provisions which are more international both in penalty and in form. It has within it, Mr. President, certain defences which are set out which are there for the benefit of the legal or the beneficial owner of a vessel and it is one which is intended to deal and will deal with guilty offenders and not really one which can seriously affect beneficial owners who remain when they are not guilty of an offence under that Law. At present, Sir, the Section was introduced in the '73 Law and the fine is undoubtedly far out of proportion in regard to the number of offences that we now have, and also the alteration in the value of money. I would ask the members to support this and hope then it will be one of the continuing deterrent legislative measures in regard to the misuse of drugs. Thank you, Sir.

MR. PEARSON: The question is that the Bill intituled The Misuse of Drugs (Amendment) Law, 1978 be read the second time. The motion is open for debate.

MISS ANNIE S. BODDEN: Mr. President, while I agree that fines should be increased and that vessels should be seized who bring illicit drugs to this Island, one thing I would like to see the Law amended to provide that people who come here and traffic in drugs that when they have been found guilty before our courts that they be declared undesirable aliens. I have known of instances in the courts where people have been convicted of more than one offense but they pay their thousand dollars or five hundred as the case may be, stay one day in jail and then are permitted to continue their illicit traffic. I feel, Sir, that when we have convictions before our courts for (I'm going to use this term but I do not like the) foreigners, that an order be declared that they are persons non grata in this Island. We do not want people who can come and defile our youth, give them drugs, sell it, give it or whatever happens, and they are allowed to continue their illicit work. I feel that at some stage we should take this very seriously into consideration. I cannot agree that just a matter of money is the answer. The answer is to get rid of these people who are bringing drugs to our Island and I'm sorry to say that I believe only the Second Coming with everything burnt up will destroy it as it appears to be now not only in Grand Cayman - I heard one day last week that there was a catch in Australia and the market value of these drugs was $20 million so it appears that this thing is universal and I think we on this Island should do our best to prevent it as far as possible. Thank you, Sir.

HON. OMNIA FOSTER: Mr. President, I support the amendment, Sir, and to make the Lady Member's mind a little bit more at ease I would like to remind her that the court in hearing these drug cases have the machinery or the power to deport or order the deportation of the person. In addition, under the Caymanian Protection Law there's also provision for these people or any such people to be declared prohibited immigrants. And, Sir, we're constantly doing it. Up until yesterday, I think seven more no doubt, so I think the Lady Member can feel a little easier that we're doing all possible to get rid of these people once they have been convicted, Sir.

MR. SPEAKER: I think the Hon. Member for Tourism, Aviation and Trade has the floor.

HON. JAMES BODDEN: Mr. President, this is a worthwhile step that we are taking today in regards to the amendment of this Bill. Reflecting back in time, in 1978 my worthy colleague from Bodden Town and myself stood in this Assembly and had quite a debate when the Law was amended at that time and tried to get higher penalties into the Law than what were proposed. We were able at that time, if I recollect correctly, to get the mandatory jail sentences put into that Law but we were not able to get the value on the vessel raised above $6,000.00, and that is where probably one of the biggest deterrents can be made to when you forfeit the vessel or put such a fine on it that the people will respect it. I think we're about to do that now by proposing that it be 3/4 of the value of the vessel or $100,000.00 whichever is the lesser. This is a worthwhile move and I hope that it will serve the purpose for which we are intending it to be. This should help to once more serve notice on the drug offenders that we are not prepared to tolerate them in our midst. Drugs are beginning to ruin the population of the whole world and it's a shame what it has done to our little community here and I firmly believe that we can go a long way toward eradicating it. We are an island no one can creep onto our beaches unless they come in by boat or by aircraft. We should have the means at our disposal, and I am appealing to you, as the President of this Assembly, to use all of your efforts and all of the powers that lay within your hands to try to bring this to a successful conclusion. I'm glad that the Chief Secretary said what he did awhile ago because that is a matter we had just dealt with yesterday, we're not losing track of that, and when we find these people have been convicted of an offense, we are now declaring them prohibited immigrants. Yesterday, I think it was seven of them we dealt with. So you can rest assured that this House, Mr. President, will support you 100% and try to eradicate this cancer from our society and bring to the hands of justice whoever is responsible, regardless of what walk of life he or she may be in. So, Mr. President, this Bill has my whole-hearted support and I'm sure that all of the Members of the House will support it likewise. Thank you.

MR. CRADDOCK TALBOT: Mr. President, I, too, give my support to this Bill only in principle, because as far as I'm concerned, with the traffic of drugs in this country we're still only attempting to break the ice. Much more should be added to this Bill. Just as Government feels it should use measures of confiscating vessels bringing the drug in here, the same ought to apply to aeroplanes, any small boats; it ought to apply to trucks, cars, bicycles or anything that is transporting the use of this drug. We know in many cases taken before the court, the accused was found with it in his car. Well I feel if a man's ship should be taken away from him somebody that is trafficking it after the whip landed it in his car, his car should be confiscated as well. And I'm not going to support this Bill as it is unless there are a lot of these amendments added to it.

MR. CHADDOCK EBANKS (CONTINUING):

I know not too long ago when the matter was debated in this House, Members said there was little or no drugs in here, it wasn't this kind, it wasn't the other kind, ganja wasn't being grown here; it was shocking to know that members were of that opinion when it was plain to the eyes of the public that this wasn't the true picture. I don't mean, Mr. President, to have the attitude on the behaviour of a criminal that people should be punished without reasoning but if we've got a job to do we ought to do it well done and not haphazardly or part-way. We have offenders that will go into the court once, twice, three times for the same offence because $200, $500 and one day don't mean very much. We must, as we've reached this stage, I feel that there must be mandatory fines and imprisonment to try to stop this, not just to curb it or slow it down- to stop it; I don't see anything wrong with an individual spending a long period of time in jail than families be ruined, youth gone to destruction, become nuisance- anything bad in the catalogue; they become a burden to Government; that's why I feel that we should launch an all-out, an appeal, not to slow this thing down, to stop it.

Maybe it's in the minds of some in this building if I realise that I got two boys: I will think about those boys when I'm making these remarks. I know how I would feel if it came to my door but I would rather know one of my boys spent ten years in jail than to know countless youth's future will be ruined, gone up in the grave, that homes will be absent of a boy or a girl around the table or in a boat. Those are the things that I look at, Mr. President. I don't compromise; I don't go half-way. If we don't, as members of this House, elected by the people of this country, do what we ought to do to try to keep it the way it ought to be kept, then we should start asking ourselves some questions.

It has been just said the authority of the courts got now to when smuggling or trafficking are found guilty they can be deported as undesirable citizens. That shouldn't have been left to be dealt with yesterday because we got American safety measures that we should follow if a hurricane should flop down on us do we have to wait to go back to read them to find out what we should do? When you're out to sea and a storm comes down on you what do you do? You do what you feel is right, and if the courts, the judge, found any visitor visiting this island guilty of importation of drugs the other side of Government ought to have made it their business to see that they leave the island the next day.

I listened to a case just a few months ago where one was found guilty of possession of drugs, found guilty of possession of firearms, few hundred dollars, or in fact I believe two thousand dollars, one day in jail, sent the man back on his job. Would this have happened to either Caymanian in the United States? He wouldn't have seen the United States again what you think go back to his job in the United States. Do we have to bend over that far to punish one employee in this country? to help ruin hundreds of young people? It's really getting time that a section of Government should deal with these things, to wake up and don't put off for tomorrow what should be done today.

Mr. President, I'm not going to prolong this any further. I could say more but I'm giving my support only in principle that this is brought here. If other amendments are not made then I won't be supporting this then when it comes to the end because I feel that it's just as important for other things to be added here to help curb it as what is proposed in the Bill and I don't feel that Government should think about confiscating boats and just have them piled up around the dock and have a bunch of them that Government can find no use for. The owners ought to [illegible] to pay reasonable sums (it is pointed out what is considered to be a reasonable sum) or sell them but not just to have them anchored someplace and become a multitude of drug traffickers, boats.

So, Mr. President, when it goes into the committee stages I will go further into this but, as I said, I would like to see a stronger, a more harsh implementation of things added to this Bill for it become what I feel is effective. I thank you.

HON. MAIC BODDEN: Mr. President, the amendment to this law brings a substantial change in S 18(2)(a) 74 (3). As I understand the old Law, if a vessel was found in the use of drug trafficking that vessel could be confiscated providing the prosecution made an application to the court for such confiscation. With this amendment this will change in that the forfeiture will not be dependent upon an application by the prosecution but will be mandatory by the court in 8.(1) reads that "the court shall order the forfeiture to the Crown of such vessels".

When the Law was passed in 1973 the word "vessel" was defined to include, (and that definition still remains), vessel includes any ship, aircraft, hovercraft, vehicle or thing in which anything may be carried, stored or navigated. So that as the Law stands now, the word "vessel" means not only a ship but an aircraft or a motor vehicle or truck and if such a vehicle is found by the courts to be in use with the trading in drugs, such vessel, including a motor vehicle, shall be forfeited to the Crown. But there is a saving provision in the amendment which, as the Member who introduced the Bill stated, would give some protection to innocent people, in that an order for confiscation could be reversed if a person could show that he is the beneficial owner and that he had not consented to the offender having possession of the vessel and also it could be redeemed by paying the equivalent fee of 3/4 of the value or the sum of $200,000.00 whichever would be the lesser. So the amendment to the Bill will mean that a vessel can be confiscated; however, if it can be proven that the beneficial owner was not consenting to the use, the vessel could be redeemed. So the innocent person would be safe while the guilty people would suffer.

I understand that it is a common practice for the true owners not to show up when a vessel has been confiscated in the drug traffic. Here again, if the true owner is an innocent person, he can show up and claim his vessel. The Amendment increases from $0,000.00 to $200,000.00 the amount that may be asked for in the subsequent redemption of a vessel. I see this Amendment as being a strong deterrent to would-be traffickers. In my opinion the carrier of the disease is far worse than the individual stricken by it and it's the same thing with this case. The carriers are really the people that should be punished. If there were no vessels bringing drugs into the Island we would be more or less free of it and I think the time has come to put the penalties more severe so that would-be traffickers can be punished to such an extent that they will look twice before they enter the drug traffick. I support the Bill and would like to again assure Members that the word 'vessel' in this Amendment has not been changed and it bears the same meaning as it did in the 1973 law.

MR. PRESIDENT: If there are no further speakers would the Hon. Member care to reply?

HON. TRUMAN BODDEN: Just very briefly, Mr. President. In reply to the lady Member, there is a provision in the Caymanian Protection Law that upon the application of the prosecution the Judge may recommend deportation as the Chief Secretary mentioned and the provisions of this which relate to putting a person on the stop list are also there and can be exercised once there is good cause for it whether or not there has been a conviction.

The penalties, under this, only relate to the vehicle and they are exclusive of the penalties which go up to a mandatory, I think, ten years, Mr. President, under Part B of the Schedule for specific offenses. The question of vehicle I think has been properly cleared up, I hope. Mr. President, I don't think there was anything further arising of what the Members mentioned that I should reply to on this. Thank you, Sir.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING

THE EDUCATION (AMENDMENT) LAW, 1978

CLERK: THE EDUCATION (AMENDMENT) LAW, 1978

FIRST READING

MR. PRESIDENT: A bill intituled the Education (Amendment) Law, 1978 to be deemed to have been read the first time and to be set down for a Second Reading.

SUSPENSION OF STANDING ORDER 46 (1)

CLERK: THE EDUCATION (AMENDMENT) LAW, 1978

HON. THOMAS BODDEN: Mr. President, under the provisions of Standing Order 8%, I beg to move that the provisions of Standing Order 42 (1) in relation to gazetting be suspended, Sir.

MR. PRESIDENT: The question is that Standing Order 46 (1) be suspended to enable the Assembly to proceed with the second reading of this Bill before seven days have elapsed since the Bill was placed in the hands of Members.

AGREED - STANDING ORDER 42 (1) SUSPENDED

SECOND READING

HON. TRUMAN BODDEN: Mr. President, I beg to move the Second Reading of the Bill entitled The Education (Amendment) Law, 1978.

Mr. President, this is a short amendment which deals with bringing in line the appointment of the secretary by the Governor in Council which is the general practice in relation to other Boards. The Law specifically had that the officer appointed should have been an officer of the Department and this has caused considerable inflexibility in this specific post which has gotten larger, as the duties have become heavier as time has gone on and the sittings are now nearly three times what they were back a few years ago and it is mainly to amend that 1969 section and to introduce flexibility of it, Sir. Thank you.

MR. PRESIDENT: The question is that a Bill intituled The Education (Amendment) Law, 1978 be read the second time. The motion is now open for debate.

MISS AGNES M. BODDEN: Mr. President, I really fail to see why, after ten years of the Education Law, why at this stage it is found necessary to have this secretary who, as I understand, must have been appointed to the Council from the Director to the Governor in Council. I really fail to understand the necessity of this. I don't know what is the reason but I must say to me it must be mighty flimsy. The Education Law, as far as I am concerned, has functioned, I would say, fairly satisfactorily for a long period of ten years and this little minor thing I can't see the necessity of it. I feel, Sir, I'm going to be very frank today, on the street all you can hear is that every Board is a political Board- that's all you can hear on the street, and I must say I believe some of it is true, not all of it but some of it is true and I don't know today Sir, why the Education Law should have to be tampered with to the extent that the Governor in Council must appoint this secretary. I don't know if the present secretary, whoever she is (because I don't know anything about the workings of these Boards etc.) I do not know if he or she is a late comer or what, I don't know and I feel that the Director of Education, whoever he or she is, I don't even know, I want to believe I know but I'm not sure, that they couldn't have that small, little privilege and I really don't see the necessity of it, Sir, and I will not support it.

MR. CARLTON SMITH: Mr. President, I rise to support this Amendment. I think the Member who moved this Amendment has made it emphatically clear as to why the necessity arises for this Amendment to be made. I know, Mr. President, that there is much talk, as the Lady Member has already commented, but then again, Mr. President, I know much of that talk is unfounded. So I do not pay this much attention so at this time I want to support this Amendment. Thank you, Sir.

HON. TRUMAN BODDEN: Mr. President, if the Lady Member looks very carefully at this Amendment she will see that it is one which is inclusive and not exclusive, therefore, Mr. President, whatever could be done under the old Section 7 can be done under the new Section 7. One of the things that Government must always be conscious of is for the expenditure of money and if the Lady Member, who I'm sure is always conscious of this, is suggesting that we employ someone else within the Education Department to fill this Post specifically, rather than putting through the Amendment, then that would be one of the answers. To call it, Mr. President, a political move, has, in this day and age, become a saying which has been brought up from time to time when there is no answer or no logical answer to the reasoning behind things. It's very easy to call things political moves. What I'd like to just mention to it has been raised now and raised from time to time about political Boards, and I would point out to the Lady Member that the Liquor Board, the Tourism Board have existed for many, many years, of which she has been a member, and it contains a majority of true politicians and it is very amazing, Sir, that after nearly half a century and nothing hasn't been done in relation to those two, that suddenly now the Boards and matters such as Education

HON. TRUMAN BODDEN (CONTINUING): Council which only has me on it and I only carry one vote out of some eleven votes, this moves at this stage to deal with a person who doesn't have a vote on the Board could be regarded as political. But, like I mentioned before, the saying these days "if there's no reason, then you blame it on the politicians". I thank you, Sir.

MR. PRESIDENT: The question is that the Bill intituled The Education (Amendment) Law, 1978 be read the second time.

AGREED. BILL GIVEN A SECOND READING

THE EVIDENCE LAW, 1978

CLERK: THE EVIDENCE LAW 1978

FIRST READING

MR. PRESIDENT: A Bill intituled The Evidence Law 1978 is deemed to have been read the first time and is set down for second reading.

SUSPENSION OF STANDING ORDER 46 (1)

CLERK: THE EVIDENCE LAW 1978

HON. DAVID DARWICK: Sir, to be on the safe side, I would like to move again that under the Provisions of Standing Order 61, the Provisions of Standing Order 46 relating to notice be waived in respect of this Bill in respect of publication.

QUESTION PUT: AGREED - STANDING ORDER 46(1) SUSPENDED

SECOND READING

HON. DAVID DARWICK: Sir, I move that the Bill entitled the Evidence Law 1978 be now read a second time.

The Bill is significant Sir, in that it represents the last of a number of major enactments brought down in this Honourable House over the last four years or so for the purpose of reforming the system of justice in these Islands. The Bill is important, Mr. President, Sir, in that in addition to codifying in a modern and improved form, many of the existing provisions of our Law relating to the evidence which a court may receive in proof of facts concerned before it, the Bill also provides for the admission of new types of evidence which had been made available by reason of mankind's rapid progress in science and technology. In particular, Sir, the passing of this Bill will enable the courts to receive as evidence such things as the computations of calculating machines, the output of computers and evidence recorded by recently invented means. In the field of criminal law the Bill contains a number of important modifications of our existing law and these modifications are all designed to facilitate the processes of justice. Principal among these is the provision, subject to certain safe-guards, of the written statements of witnesses whom the court, the prosecution and the defence see no reason for calling those witnesses in person before the court to give oral evidence. This will mean that in practice, expert witnesses and others whose evidence is largely formal or undisputed, will be spared the need to attend court hearings. The savings in time and in public expense will be great. Clause 34 of the Bill, Mr. President, Sir, contains the provisions to which I am referring now. Again, with similar savings in prospect, the Law will make it possible for the parties in criminal cases, for the first time in the history of these Islands, Sir, to do what they have been able to do in civil cases hitherto and that is to admit, for the purposes of the trial, certain facts in open court, thereby

HON. DAVID BARWICK (CONTINUING): eliminating the need to prove those facts by ordinary evidence. The use of this power will inevitably result in decrease in the length of trials and the saving of expense. Sir, these changes are not revolutionary ones; they have been made in countries whose laws are very ancient. They have been tested in courts and in proceedings of all kinds and I know, Sir, that their introduction here will be of appreciable value in the administration of justice.

Some of the Bill's provisions, Sir, I admit are inevitably very technical but I think that most Honourable Members will agree with me when I say that the Bill's clauses are generally clearly expressed and non-controversial in character. I feel sure that if it becomes the Law, the Bill will result in the smoother and more efficient administration of justice and I commend it, Sir, to Honourable Members.

With those few words of explanation, I move that the Bill entitled The Evidence Law 1978 be now read a second time

QUESTION PROPOSED: DEBATE ENSUED

HON. TRUMAN BODDEN: Mr. President, I support this law. I think that the Attorney General has put together a Law which will undoubtedly be beneficial to the administration of justice. It has been badly needed for a very long time and United Kingdom in '68 and subsequent amendments brought in the provision which allowed matters such as the computers and the calculators and this sort of equipment to be put in evidence subject to certain safe-guards.

It clarifies many areas of the law and I'm sure that this Law will probably be one in which there will be more legal rulings on over the next decade or so than perhaps the remainder of the laws in this country put together. I think that it is timely and that it has been ably drafted by the Attorney General and I look forward, in due course, to this going into effect and, hopefully adding to the embroidery of the smoothness that we now have in the legal system. Thank you, Sir.

HON. DAVID BARWICK: I would like to thank, Sir, the Honourable Member who spoke in support of the Bill and just to make mention, if I may, that at the Committee stage I propose to introduce a very short amendment Sir, to make it abundantly clear, something which I think it's not necessary to make clear, in fact, but to remove any doubts there may be on the point, and that is a short amendment to provide, without any fear of derogation by reason of words in this Law, the provisions of the Banks and Trust Companies Regulation Law and the Confidential Relations Law just to make it quite clear to anybody reading this law, Sir, that the provisions in here about the admission of evidence contained in bankor's books has to be read in the light of the two other laws to which I've just referred.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING

THE BIRTHS AND DEATHS REGISTRATION LAW, 1978

CLERK: THE BIRTHS AND DEATHS REGISTRATION LAW, 1978

FIRST READING

MR. PRESIDENT: A Bill intituled the Births and Deaths Registration Law 1978 is deemed to have been read the first time and is set down for second reading.

SUSPENSION OF STANDING ORDER 46(1)

QUESTION PUT: AGREED: STANDING ORDER 46 (1) SUSPENDED

CLERK: THE BIRTHS AND DEATHS REGISTRATION LAW, 1978

SECOND READING

HON. V. C. JOHNSON: Mr. President, I beg to move Sir, the second reading of the Bill entitled The Births and Deaths Registration Law, 1978. I should also mention at this time Mr. President, that the Governor's recommendation in accordance with Standing Order 33 (2) and section 37 (2) of the Constitution has been granted for the introduction of this Bill.

Mr. President, the reason for this Bill is that it is another one in the series for revision and before the revision is done it is necessary, it would be necessary I should say, to make certain amendments, but the Legal Department has decided that there were quite a number of amendments to be done and this would not altogether dress the law up in the manner that was most desirable. And so it is decided to introduce the new law to replace the present Registration Births and Deaths Law, Cap. 188. The main areas of amendment are that in this new law provision is made for the establishment of a Registrar General. The second important amendment was that of the fees. It is necessary to revise fees upward in accordance with present day money values. The new law, draft law before us, Mr. President, is copying the old law section by section except in the case of the Penal Code which has been omitted and it is omitted because those sections are now contained in the new Penal Code. I should have said that the Penal Section has been omitted because it is now contained in the new Penal Code. The Law, therefore, contains the same number of sections as the old law, except for those sections dealing with the Penal Provisions and these in the old law were sections 45 to 50. Mr. President I therefore recommend to this Honourable House that this Draft Bill before us The Births and Deaths Registration Law, 1979 be accepted. As I said, there are only a few differences between this and the old law. One is that it establishes a Registrar General, secondly, the penal provision is omitted because they are now contained in the penal code and thirdly, the fees have been revised. I recommend the Bill and request Members' support.

QUESTION PROPOUNDED: DEBATE ENSUED.

MR. CRADDOCK MANNER: Mr. President, I give my support to this Bill, Law, the Amendment. When we look back on the life of this, the old one, 1861, I can only say that it appears to me that it should have been done before now. While I know we can't do everything one time but it really seems to me like many of these things just drag on too long. With all the implementation of this I do hope that it will be more workable to those responsible and as well to the public because as is now there seems to be quite a bit of grievance from the public seeking, trying to get birth certificates which I suppose you'll find a few that would be claiming one that might not have been registered, would make it impossible but in the last fifty years there shouldn't be any problem in finding birth certificates and just who is responsible for dealing with these in connection with the public, I am not quite sure, but there is been quite some to while when a case of emergency arises that one needs a birth certificate within a few hours and I have seen individuals around the Post Office a bit snakey about this because they're told 'you can't get it for another two days or another three days' as the case may be because there's so much work and so much that. When it comes to something of this nature as a birth certificate that is required by law probably in some other country demanding this to know the identification of an individual, we shouldn't be hesitant and say this won't be tended to within the next few days. It's just as simple to say you go to the hospital with a broken neck and the Dr. says he'll look after you in another few days. It just doesn't make sense and I want with the new Law to come into effect that those responsible will be awakened that they must deal with the public efficiently at the earliest convenient time. I'm not trying to say that I am expecting the impossible, I am only expressing what is right and reasonable . So with those few remarks, Mr. President, when we go into committee stage I will make a few other observations, but as it now I give my support to this Bill.

HON. V. G. JOHNSON: Mr. President, I want to thank the Honourable Member from North Side for his kind remarks in supporting this Bill. I know that there are public views about the present situation where people perhaps have to wait for some time to obtain certificates of births, deaths or marriages. This is something that the Government has been looking at in recent times and one of the reasons for updating this particular Law is to establish a Registrar General who would not have responsibility alone for births and deaths but would have responsibility for other things such as public recording, companies registration and the lot. It is the Government's intention to set up a Registrar General so that the public can go to one office and deal with all these various matters in the same place and perhaps the service will then be much more efficient than it is at the present time. One way is that the office must have proper vault facilities and there must be other facilities as well which are not available at the present time in any of the offices of Government. Perhaps this is something that will have to be dealt with in the near future to establish or to provide a proper office that can be used for this purpose, the purpose of the office of the Registrar General. I hope, Mr. President, that with the introduction of the Law in this amended form, that the service in any case, whether there is the office or not, will improve.

QUESTION PUT: AGREED: BILL GIVEN A SECOND READING

GOVERNMENT MOTION NO. 4, CASEY INVESTMENT COMPANY, LTD.

HON. V. G. JOHNSON: Mr. President, I beg to move the introduction of Government Motion No. 4 which reads 'whereas in December 1976, Casey Investment Company, Ltd., a company incorporated in the Cayman Islands on 21st February, 1974 was struck off the Register of Companies by request of the beneficial owners, all fees being paid to date. And whereas it was discovered after the Company was struck off the Register that certain assets in the form of $4.5 oz of gold were still in existence in the name of Casey Investment Company, Ltd. and whereas under the provisions of Section 170 of the Companies Law, any property vested in or belonging to any company struck off the Register shall be vested in the Financial Secretary of the Islands for the benefit of the Islands and shall be subject to disposition of the Legislature and whereas application has now been received from the solicitors of the Company requesting permission of the Legislature to release the assets of Casey Investment Company, Ltd. and in return they would pay the Government the equivalent of all fees and penalties from the day the Company was struck off until the present time as though the Company had been on the Register and fell in arrears of fees. The total of such fee and penalty being CI$1,200.00. Now therefore, be it resolved that this Honourable House grant the request for the release of the assets of the Company provided the sum of $1,200 is paid as proposed by the Company'.

Mr. President, this is a genuine case of where a company which was used for a specific purpose was no longer required, all fees had been paid in accordance with the provisions of the Companies Law and the beneficial owners decided that since the Company was no longer required they would request the Registrar of Companies to strike it from the Register. Unfortunately, sometime afterward they discovered the asset $4.5 oz of gold. They came to Government and reported this and asked for the release of the assets. Well, we told them that while we were prepared to recommend to the Legislative Assembly that under the circumstances Government release the gold, there had to be some form of compensation and we worked out something which they seem to have accepted. The $1,200.00. Then sent the cheque to us and it is now in the treasury. I think it's a fair case; I think it's a genuine case and I think it would be reasonable for me at this stage to ask Honourable Members to approve the motion as it is presented. Thank you.

QUESTION PROPOSED: HONOURABLE MEMBER

HON TRUMAN BODDEN: Mr. President, I support this Motion. I would just like to make one observation. In United Kingdom the normal for putting a Company back on the Register is 20 years. Over here it is 6 months. I think that in due course, whenever we go to amend the Companies Law, it's one thing we have to keep in mind because the time is fairly short having regard to the fact that most of the companies, probably 30% of them, have beneficial owners at least who are non-residents of the country. These will naturally have to each be looked at but I think the time will come when a machinery which can perhaps save this House some time may have to be introduced and perhaps part of this left with the Registry of Companies itself to be given some sort of discretion unhappy to deal with it, because with the spate of striking off of companies in the last year, year and a half, I suspect, Sir, that we're going to have a lot more of these motions.

Thank you, Sir.

HON. V. G. JOHNSON: Mr. President, I'd like to thank the Hon. Member for supporting the motion. The question of the English law and what is provided in that law is perhaps relevant in some cases. We've already had representation from the private sector asking whether this Government would not consider the amendment of the Companies Law to extend the period in which a company can be re-instated on the Register and that the re-instatement be a function to be performed by the Registrar of Companies as opposed to the court. Personally, Mr. President, I, as I said before, I could agree in some cases where it might be necessary for the extension of the time for re-instatement but we have found that with the Register of the nine or present operating here with approximately 8,500 companies, it is quite a formidable task to police all these companies, especially those failing in arrears, those committing a breach of the law and if a company is aware that it can be struck off and that a period of 20 years can elapse before it is re-instated on the Register, I think the discipline, the behaviour of companies would get perhaps out of hand, while there may be a case for extending the 6 months perhaps for a little longer I don't know that it would be in the best interest of our particular operation to consider the period 20 years and neither do we see that it is a reasonable proposition to put the re-instatement on the hands of the Registrar of Companies. We think that this perhaps should remain with the courts. But these are just my personal observations Mr. President, not necessarily the observation of the Government. It is a matter that will have to be dealt with perhaps when there is a further amendment to the Companies Law. But dealing with the motion before us, Mr. President, I now recommend it to Honourable Members.

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 4 PASSED

MR. PRESIDENT: That concludes matters on today's Agenda. Before, however, asking the Chief Secretary to move the adjournment, I should like to remark that it has been represented to me that Members might wish to pay tribute in the usual fashion by standing for one minute to the late Capt. William Farrington who up till 1976 was Father of the House and to Miss Evelyn Wood who was the holder of the Cayman Islands Certificate and Badge of Honour for services to the Country and who was also a Member of this Honourable House. So if Members are in agreement of this I'd ask them to stand one minute to pay tribute to these previous Members.

THE ASSEMBLY STOOD FOR ONE MINUTE AS A MARK OF RESPECT OF THE ABOVE

ADJOURNMENT

MOVED BY HON. D. H. FOSTER

QUESTION PUT: AGREED: AT 12.20 P.M. THE HOUSE ADJOURNED UNTIL THURSDAY MORNING THE 15TH OF JUNE, 1978 at 10 o'clock.

SECOND MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THURSDAY, 15th JUNE, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. — PRESIDING

GOVERNMENT MEMBERS

HON. D. M. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID H. HARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHAMPSIEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MISS ANNIE R. BODDEN	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

CAPT. K. P. TIBBETTS, J.P. AND MR. GEORGE C. SMITH – ABSENT. ATTENDING 14th CARIBBEAN REGIONAL CONFERENCE, TRINIDAD & TOBAGO.

ORDERS OF THE DAY

THURSDAY, 15TH JUNE, 1978

1. QUESTIONS -

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER

NO.I: Has Government a new Police Boat to replace the "Cayman Protector" Police Boat which is being advertised for sale? If the answer is no will Government make an effort to procure a proper boat large enough to be used on all occasions, and more especially in the pursuit against boats suspected of having prohibited drugs and ganja on board?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES.

NO.II: Will Government state the cost of the property recently purchased for the purpose of erecting a prison thereon, and what is the approximate cost of building an access road thereto?

NO.III: Is Government considering the possibility of allowing any Club or Clubs to erect buildings on the Public Beach next to Harbour Heights Building, and will these buildings (if so approved) be for the use and benefit of the general Public?

2. PRIVATE MEMBER'S MOTION - MOTOR INSURANCE (THIRD PARTY RISKS) LAW TO BE MOVED BY MR. CRADDOCK EBANKS OF NORTH SIDE TO BE SECONDED BY MR. JOHN McLEAN OF EAST END.

3. GOVERNMENT BUSINESS:

BILLS -

** (a) The Land Holdings Companies Share Transfer Tax (Amendment) Law, 1978
(b) The Cayman Islands Public Library (Amendment) Law, COMMITTEE & THIRD READING
(c) The Marriage (Amendment) Law, 1978 do.
(d) The Laws (Miscellaneous Repeals) Law, 1978 do.
(e) The Misuse of Drugs (Amendment) Law, 1978 do.
(f) The Education (Amendment) Law, 1978 do.
(g) The Evidence Law, 1978 do.
(h) The Births and Deaths Registration Law, 1978. do.

** Suspension of Standing Orders 40 (1) and 47

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THURSDAY, 15TH JUNE, 1972

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER

Has Government a new Police Boat to replace the "Cayman Protector" Police Boat which is being advertised for sale? If the answer is no will Government make an effort to procure a proper Boat large enough to be used on all occasions and more especially in the pursuit against boats suspected of having prohibited drugs and guns on board?

ANSWER:

The Government does not have a new police boat to replace the "Cayman Protector". Enquiries are at present being made in order to locate the type considered suitable for work in connection with both the tourist trade and for the drug problem.

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE AND NATURAL RESOURCES

Will Government state the cost of the property recently purchased for the purpose of erecting a Prison thereon, and what is the approximate cost of building an access road thereto?

ANSWER:

Government is negotiating to purchase property for a proposed prison. This sale has not been concluded.

HON. G. HAIG BODDEN: However, Mr. President, I would give the Member the assurance that as soon as the ink is dry on the cheque we can let the Member know the amount of money paid.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: Mr. President, if I may be permitted to ask a supplementary question, could I be informed the location of this parcel of land?

HON. G. HAIG BODDEN: Mr. President, several parcels have been considered, I think something in the vicinity of twelve. The prison authorities dismissed all of them but three and out of the three the most favoured lot is a lot situated in the Northward area. However, the owners of the lot have not yet signed the transfer, and there is some indication that they're not too keen on selling. But the three lots favoured by the prison authorities are the one I've just mentioned in Northward, one in the bush of Bodden Town and one in Frank Sound, but at this moment no lot has been purchased, and that is all I can say; but as soon as the sale has been concluded the Member can receive the information on the price and whatever else she may ask for.

MR. CRADDOCK BODDEN: Mr. President, if I may ask a supplementary, I wonder if the Member could say what is the asking price for this property?

HON. G. HAIG BODDEN: The lot in Northward, the price being negotiated is something in the vicinity of eighteen hundred an acre, this price is considered fair for this particular parcel of land.

MR. CHADWICK BROOKS: Mr. President, I wonder if the Member would care to say how many acres exist to this piece of property?

HON. D. RAIG BODDEN: The acreage of this parcel of land is twenty-one acres.

MR. CRADDOCK BEANKS: One further question, Mr. President, or supplementary question. Could the Member say at this time if they got anything as to an estimated cost of putting a road into this property?

HON. D. RAIG BODDEN: While works have estimated that the cost of putting a road to the parcel of land in Northward would be something in the vicinity of fifteen thousand dollars; that would be just a marl road, if it is to be black topped the cost would be more.

MR. CRADDOCK BEANKS: What is the distance of this piece of road, the length of it?

HON. D. RAIG BODDEN: The distance is roughly three thousand feet.

MR. PRESIDENT: If there are no further supplementaries we can take the last question.

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE AND NATURAL RESOURCES

Is Government considering the possibility of allowing any Club or Clubs to erect buildings on the Public Beach next to Harbour Heights Building, and will these buildings (if so approved) be for the use and benefit of the general public?

ANSWER:

Government is considering giving permission to a Service Club to erect changing rooms and/or snack bar on the Public Beach at Harbour Heights. The buildings will be for the benefit of the community.

MR. PRESIDENT: If there are no supplementaries we can close question time. This being Thursday Private Member's Business has priority, and the next item on the Order of the day is a Private Member's Motion standing in the name of the Honourable Member for North Side.

PRIVATE MEMBER'S MOTION - MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS)

MR. CHADWICK BROOKS: Mr. President, I'm making a formal motion to introduce a motion touching on Motor Insurance and Third Party Risks, which the motion stands in my name. I am sure Members have had within their possession long enough to give some thought to it without me reading the motion.

Mr. President, this will be the third time that I have brought a motion to this House asking that some consideration be given to the Motor Insurance business, and as long as I am here and I am put a reminder I will continue to bring this to the House till something have taken place with it.

Mr. President, I will remember the day that the advisor to Government sitting over in the old Town Hall, instructing Government as to way they should go into this and what would be the ups and downs with this insurance Bill. It was made emphatically clear that at that stage and time the cost of motor insurance in this Island would be minimally long private vehicles as low as around six pounds per annum, then with no claims your premium would gradually reduce. The maximum on commercial vehicles was fourteen pounds some shillings, when it became effective those motor insurance companies when an application was made to them for insuring certain group of

MR. CRADDOCK EBANKS(CONTINUING): vehicles already in the Islands from the commercial side, they gave an estimated cost between eighty and a hundred pounds. They further indicated that there were vehicles that they wouldn't or couldn't insure unless permission from the headquarters, but we weren't told that, Mr. President, we were given the beautiful picture that all was well. And after this coming into effect, and right off I, as a member of public/vehicles, I lost every bit of confidence in the Motor Insurance Business. I could well read them between the lines what would happen, and would today we've got companies in here that Government has given them permission, given them a license to operate that refuse to insure any Tom, Dick and Harry vehicle, they choose and pick their customers.

Now, I don't think Mr. President, any good, clean Government should allow any people to do such a thing/business in this country. For some time I have been reading a lot on Motor Insurance business and it is a lot of problems, it's a lot of headaches; lawyers, doctors, hospital, insurance companies, all give the insurer a hard time with a lot of cost. Our Island being as small as it is, it is not quite so easy for such/operation as this to be carried on in this Island like in big countries. I would submit and agree to, but the insurance of vehicles here don't find it that easy or interesting either; and what I don't seem to understand is why there have to be such fluctuating rates. When I had my car insured a few years ago comprehensive it was three hundred, twenty-five dollars a time, or twenty dollars I believe was for it. At the time of renewal I thought it could have went them by ten dollars, it went up by ten dollars. I asked another agent, they added another hundred dollars to it, making it four hundred and twenty-five dollars; I asked another agent, they added another hundred dollars to it and made it five hundred dollars; I said, 'I think it is time to stop now'.

Mr. President. I wouldn't attempt to say at this stage that there shouldn't be a Motor Insurance, but I feel that Government should not make it compulsory and to be left entirely in the hands of the insurance agents and companies under their laws and regulations to do as they feel and please. Under the regulations of the insurance companies they penalise you for the first hundred dollars if you should have a minor accident, you must pay the first hundred dollars. If I am insuring my vehicle I am insuring it against those things, then I shouldn't have to pay any first hundred dollars. If I should have a half of a dozen minor accidents over the life of the car, then I have paid out six hundred dollars for repairs plus the premiums of my insurance over the years, I don't see that being fair or right. They have got the policy unless you're of the age of twenty-five you can't have a comprehensive insurance or something in your own name, somebody else got to be responsible for it.

As you are aware, Mr. President, we have just recently brought down/from the Age of Majority Law that eighteen is the majority age. Then if this law is effective or known for what it's supposed to stand for, that the eighteen age group now are responsible people, they're entitled to do business, do transactions, the same as any other man or woman that is of the age of thirty or forty. Then if that is true, why should the insurance companies penalise some individual because he or she is not twenty-five, and they can't get a comprehensive insurance in their name. I don't feel, Mr. President, that Government should allow these things to exist. A young man might want to make his livelihood by taxi, he can get penalising he meets the qualifications that he is required, he can run and operate a taxi service at age eighteen, yet he can't take out a comprehensive insurance in his name on his vehicle, because the insurance says he is not responsible, but Government is saying in another law of this country that/man is responsible because he is qualified.

Mr. President, it is a lot that needs to be looked into in this - for fourteen years now since this insurance has been in operation I have got my first time to make a claim, and the thousands of dollars that I have paid out in insurance gone in somebody else pockets, and even if it was in this Island helping develop this country, but three quarters of it go going overseas to other countries. And as we know now some of our neighbouring countries, if you got a dollar in there you don't get it back out. I know that has been the argument if something should happen; well, that's fifty percent of the chance, then the other fifty - if nothing don't happen, then that's where my money has gone. And I don't see that my rates or anybody rates should go up to pay off somebody else's careless driving that causes a lot of these accidents. I feel somehow, Mr. President, that if there was no compulsory there would be some people that would still insure and some wouldn't; because I wouldn't, I'm

MR. CRADDOCK EDWARD (CONTINUING): telling you. I feel that that would be one step for the insurance to look into to help bring down their rates, because the motorists are moving off on account of the high rates, they will be forced to bring down the rates to try to attract the motorists to insure.

Now, Mr. President, I've much more that I could say on this, but as Members will see from the motion that I proposed that a Select Committee of the House be appointed to deal with this. But, Mr. President, I have given some further thought, I am proposing an amendment to this section that - asking the Members of the whole House to sit on it in a committee, and instead of the quorum being three (3) the quorum could be eight (8). So, with that proposed amendment, Mr. President, I would not bother to continue my debate any further, and then in the end when I close the debate I will better understand then how Members feel in supporting the motion as proposed with the amendments instead of the five (5) that it be a committee of the whole House. I thank you, Sir.

MR. JOHN A. MILNER: Mr. President, I beg to second the motion.

MR. PRESIDENT: Before I put out the motion, I'll ask the House if they have any objections to amending the motion as set out on the Order Paper? To read in the resolution wherein "that a select committee of the whole House with a quorum of eight (8) be appointed to deal with the matter". Is there any objection to that? If not we'll take the motion as to read as follows:- the Question is -

> WHEREAS the Motor Insurance (Third Party Risks) Law makes insurance on motor vehicles compulsory;
>
> AND WHEREAS it is felt that insurance on motor vehicles (Third Party Risks) is not as effective as it should be for the protection of the general public;
>
> AND WHEREAS the cost of comprehensive insurance on motor vehicles is exhorbitant
>
> BE IT RESOLVED that consideration be given to amending the present Motor Vehicles (Third Party Risks) Law and that a select committee of the whole House, with a quorum of eight (8), be appointed to deal with this matter, and report to the House in due course.

The Motion has been moved and seconded and is open for debate.

MISS ANNIE R. DOUGLAS: Mr. President, while I could not agree that some kind of insurance should be compulsory, because in the event that we have no insurance on these motor vehicles, then it would fall on the individual owner in the event that there is an accident. But I must say, Sir, that these rates are exhorbitant, and insurance companies will not pay regardless of how clean that claim may be unless they are forced to by Law. If there is an accident, whether it is comprehensive insured, the motor vehicle that caused the accident or not, they drag/along on a saying, promise that they will contact their headquarters, and maybe you'll get insurance. Eventually, that case has to go before the Courts, and the morning the Court is to be called you'll get a telephone call or something, and say, "we'll consider paying something off". Now that is not good enough. I feel that when we have insurance claims, and without a question the money should be paid, it shouldn't be having to take the insurance company or the responsible man for the accident to Court, and then maybe or maybe not you'll get some money; and I feel, Sir, that comprehensive insurance is far, far too expensive.

I had a motor car, the first one I had, and after having bought the car I had no money to insure it comprehensive, I just insured it with third party full third party, I think you call it, and when my motor car was damaged I had to pay seven hundred pounds, not dollars, pounds, to have it repaired and not one penny insurance, the other man was asked to pay me, he was supposed to have full comprehensive too, but I don't collect a cent. The next one I insured that for the first year comprehensive and it was so expensive, something like five hundred dollars, I couldn't keep that up and I dropped that

MISS ANNIE E. BODDEN (CONTINUING): to full third party. Well, the last one I had, Sir, I had to pay five hundred and fifty dollars for comprehensive insurance, had to be insured for two years and the little deduction I had for no accident was so very minute that I said, 'It's just as well that I insure it full third party', which was quite an expensive deal at that; and I feel, Sir, that the rates are entirely too high. And it seems that the insurers do not get the protection they should; these insurance companies go about, they get these exhorbitant rates, and if they are forced you'll eventually get something, but ordinarily I think our fine good will they do not pay one cent, and that applies to all and sundry. So, while I feel, Sir, that we as the Government could not really swallow compulsory insurance, nevertheless, we must have some form of protection for the ordinary man on the street. But I feel that the Government should make a law whereby these insurance companies are controlled to an extent where they must pay off and pay off promptly and do not cause so much trouble.

I feel, Mr. President, that we must protect the under dog, and in most of these cases it's the poor person who will be involved and get hurt; and not everybody who owns a motor car has the money to pay if they are taken to court, and that injured person may not get one penny if it depends on the owner of the motor car. So I feel, Sir, that we should have some form of compulsory insurance, and the law should be that, not withstanding what kind of insurance we have that these companies must be responsible to pay people who have been damaged. I had a case coming to court, the man's leg was broken, his hip was broken and the leg further down, one arm smashed to pieces, all the ribs gone, he was an invalid for one whole year, and he was bed ridden he couldn't help himself, he never made a dollar during that time, and the insurance company would not consider one dime to the man. Well, we took it to court and the morning that that case was to be heard in court I was called by the - I don't know whether he was the President, the Manager or what - the insurance company said, "I'd like to see you madam", I said, "sure thing". So came and he negotiated - it was about a week before Christmas, he said, "I will pay you for this man six thousand dollars". Well, the man was so poor he hadn't made any money in a whole year that he had to accept that. Now, I feel very confident, Sir, that if we had gone to court that any Judge would have awarded six thousand dollars damages for the pain and suffering which he endured plus a whole year's loss of earnings, but he just had to accept what he could get. I feel, Sir, that this is a very serious matter and we should give it our full hearted co-operation and see what we can do to protect our people against such things. Thank you, Sir.

HON. V.G. JOHNSON: Mr. President, I rise to support the motion as amended, but I would also like to say a few words on the subject since I was closely associated with it over the years. The Member moving the motion, Mr. President, made mention that this is about the third motion he brought to the House, and I remember the motion before this which he brought requesting that the Legislature formally examine the question of motor insurance with the view to reducing the rates. I think the rates have always been the weak point so far as the law is concerned and so far as Members here are concerned.

Mr. President, when motor insurance was first introduced in the Cayman Islands it was a time when traffic was increasing and a time when public liability was evident from the use of motor vehicles on the road, and I think that on the whole the introduction of motor insurance was a new advantage, because it gave protection to users of the road against motor accidents.

Mr. President, Government at that time when the motion was made, made and endeavoured to discuss the matter with motor insurance quite a number of them, about eight or ten motor insurance at the time, and they were very adamant where the suggestion of adjustment of rates were concerned. They felt that the rate had to be related with the circulation of drivers on the road, and if accidents increased and claims more than there was no alternative than to increase the premiums. I should say that at that time all motor insurance companies operating in the Island were complaining that they were operating at a loss. Claims were big and numerous and they had to settle these at one stage or another, either a compromise deal or from a judgement of the courts. Our Courts alone, Mr. President, could take all the premiums which an insurance

HON. P.G. JORDAN (CONTINUING): company earned within a few years of the nationalization. Of course there hasn't been many of those cases, but nevertheless, there have been maximum claims which have been quite substantial and that have taken quite a lot of insurance companies' fund to settle.

The Government decided then that since insurance companies would not concede to the request of Government to adjust the rates downward, the only alternative was for Government itself to introduce a Motor Insurance Law. The Government spent about two years trying to produce a draft Bill, and I think the draft Bill eventually came to this House; but looking at the expression on the face of Members, I quickly made a motion to abolish the Bill. The Bill is still on the shelf.

Mr. President, I had no doubt whatsoever that when insurers are approached again their attitude will be the same. However, I would say too that if it is Government's intention at any time to legislate the control of rates, I foresee this to be quite a problem as far as insurance operators are concerned. I think the experience of recent years together with the fact that Government itself took an active role in trying to produce a new law to provide better rates and better terms for the public will cause insurance companies to stabilize their rates. I heard mentioned that the rates are very high, this may be so, but, Mr. President, I think if we compare the local rates with rates of many other countries that I doubt very much that we have much room to complain. However, I know that it has always been in the minds of members of this house that rates have been out of proportion and should be adjusted. I am sure that the committee of the whole House going into the matter will no doubt discover that the problem is not going to be as easily solved as talked about, but nevertheless, the committee might be able to come up with some solution to alleviate the pressure of high rates.

As I have said before, Mr. President, I support the motion, because if it is the view of Members that the matter should be examined, I think by all means, have it examined and have some decision made once and for all. This has been a long outstanding matter; the House, I am sure, was not prepared to accept the Bill that was introduced recommending that Government operate a motor insurance. I too think that a motor insurance should be left in the hands of the private operators, but it's only an alternative to what we sought to arbitrate. I support the motion, Mr President, and hope that the committee will be able to come up with some solution which will please Members and deal with this problem once and for all.

MR. PRESIDENT: If there are no further speakers, then the Honourable mover wish to reply?

MR. CHARLES KNIGHT: Mr. President, it's very little more that I would attempt to say on this since Members have indicated that they are quite satisfied with the amendment and the whole House fell into this. As to the Third Official Member, I appreciate his remarks, and I didn't think in the first off set that it was as easy as making a few calls for lunch, but I feel that it ought to be the Member's duty to do something about it if it is possible, and I feel that something can be done about it. In his remarks he doesn't think it is so much difference in the rates in comparison with other countries. My present bus that I am operating, that was under a full third party in the United States - I bought it as a used one) - and the exchange, the difference in the CI and the United States, it would cost me above fifty-five dollars CI, and every year for the past three years I have been paying two hundred and fifty dollars; so there is a lot of difference between fifty-five dollars and two hundred and fifty.

And as I said in my opening remarks, this just requires simply no claims, depreciation going down every year and your premium still stays up there. It is unfair, nevertheless, Mr. President, I am not going to go any further into this, since as I said, Members are quite happy to go into this, and I do hope and trust that we will be able to find some way that can make it a little bit easier for the insurers. I thank you, Sir.

QUESTION PUT: AGREED. THE MOTION AS AMENDED WAS PASSED.

MR. PRESIDENT: The Clerk will continue with the items listed under Government Business.

THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) LAW, 1978

FIRST READING

CLERK: The Land Holding Companies Share Transfer Tax (Amendment) Law, 1978.

MR. PRESIDENT: A Bill entitled the "The Land Holding Companies Share Transfer Tax (Amendment) Law, 1978" is deemed to have been read the First time and is set down for a Second Reading.

SECOND READING

CLERK: The Land Holding Companies Share Transfer Tax (Amendment) Law, 1978.

SUSPENSION OF STANDING ORDER 46(1)

HON. V.S. JOHNSON: Mr. President, I move the suspension of Standing Order 46(1) which deals with the period of notice to be given for a Bill to be read a first time in this House. The period is seven days notice, Mr. President, and unfortunately we were not able to conform with that Standing Order, and so I move the suspension in order to introduce the Bill.

QUESTION PUT: AGREED. STANDING ORDER 46(1) WAS SUSPENDED.

MR. PRESIDENT: The Honourable Member may proceed.

HON. V.S. JOHNSON: Mr. President, to conform with Section 46(5) of the Standing Orders and Section 27(2) (a) of the Constitution which requires the Governor's recommendation of any Bill which will impose expenditure in Government or impose revenue charges, I have to report that the Governor has granted his recommendation for the introduction of this Bill which will impose revenues on the public.

Mr. President, this is an amendment to the present Land Holding Companies Share Transfer Tax Law. It is found necessary to introduce this amendment, firstly, in order to vary the definition of "land holding corporation"; and the second reason is to substitute the existing provisions of Section 3 with new provisions. In 1973, Mr. President, it was found necessary to introduce legislation to govern companies dealing in land sale and transfer, because the three days share was no use as the transfer of shares and companies could purchase property and continue dealing in selling the land which is almost entirely by transferring the shares, or selling the shares. And this was a form of evading Government's revenue, and the Law was introduced then against companies owning property, and the Law was termed "the Land Holding Companies Share Transfer Tax Law".

In 1974 the Law was replaced by new legislation to improve the provisions of the particular legislation. It hasn't been operating quite well, a bit of revenue is being collected under the Law, but it is seen that further improvement needs to be done in order to ensure that all transfer of shares by land holding corporation comply with the requirement that the stamp duty is paid. Under the present Law, Mr. President, this has to be paid at the end of a year when the company or companies make their return, and it is thought that things can happen between one year and another that a transfer is made and forgotten at the time that the return should be made, and in any case it is desirable that as a transfer is made the revenue or the tax is paid on sale. So, the replacement of Section 3 by dealing with that aspect of it, is by providing that within thirty-one days of any transfer of shares in a land holding corporation that certain returns are made to Government outlining out the details of the transfer, and at the same time submitting the stamp duty whatever that may be.

The first amendment that I mentioned was the variation of the definition of "land holding corporation", and this is being done to include charitable corporation and any other corporation the Governor may by notice publish in the Gazette from time to time; this was seen to be necessary, and it is one of the recommendations. This is basically what is being proposed in this amendment Law. Mr. President, I would say it is a

HON. V.G. ARCHER (CONTINUED): recommendation to improve the collection system of the present law and something which is important and necessary. I should say at the same time, it is quite a tricky piece of legislation. I don't think there is any thing of its type anywhere, and this is the reason why there is constant need for its review and improvement. And there are other improvements to be carried out, and these will be done in the course of the next few months; no doubt, that by the end of the year we surely must have another amendment might come forward; but what we're recommending at this time is important, it's urgent, and I recommend to Honourable Members that they give their careful support to the proposal. Thank you, Mr. President.

MR. PRESIDENT: The question is, that a Bill entitled "The Land Holding Companies Share Transfer Tax (Amendment) Law, 1978" be read the Second Time. The motion is open for debate.

If there is no debate I'll put the question.

QUESTION PUT: AGREED. BILL WAS GIVEN A SECOND READING.

COMMITTEE THEREON

THE CAYMAN ISLANDS PUBLIC LIBRARY (AMENDMENT) LAW

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. CAP. 77 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE CAYMAN ISLANDS PUBLIC LIBRARY LAW.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes consideration on the Cayman Islands Public Library (Amendment) Law. The next one is the Marriage (Amendment) Law, 1978.

THE MARRIAGE (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. SCHEDULE B OF CAP. 82 AMENDED.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: SCHEDULE B.

QUESTION PUT: SCHEDULE B PASSED.

CLERK: A LAW TO AMEND THE MARRIAGE LAW.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes consideration of the Marriage (Amendment) Law, 1978. We turn to the Laws (Miscellaneous) Repeals) Law, 1978.

THE LAWS (MISCELLANEOUS REPEALS) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 1. REPEAL OF CERTAIN LAWS.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: A LAW TO REPEAL CERTAIN LAWS WHICH HAVE BEEN MADE INTO STATUTES.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes examination of the Laws (Miscellaneous Repeals) Law, 1979. Next is the Misuse of Drugs (Amendment) Law, 1979.

THE MISUSE OF DRUGS (AMENDMENT) LAW, 1979

COMMITTEE STAGE

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. SECTION 24 OF LAW 12 OF 1979 AMENDED.

QUESTION PROPOSED:

HON. TRUMAN M. BODDEN: Mr. Chairman, could I ask to amend in sub-section (b)(a) (ii) right in the middle of page 2 between the words "vessel" and "knew" in the middle of the page where the blank space is, we could insert the word "or". It is on the ninth line of sub-section (6) paragraph (a) sub-paragraph (ii). And in paragraph (b) on the last line before the proviso where it has "manor", it should be "manner". That was just a typographical error, Sir.

MR. CHAIRMAN: It has been proposed that Clause 2 (b) (a) (ii) be amended by inserting the word "or" after the word "vessel" and before the word "knew", that's in the ninth line; and that a misprint under (6) (b) be corrected by changing "manor" to "manner". I'll put the question .....

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, I would like to ask the Attorney General if a ship could place a bond after the Court has decided that there is a case of forfeiture, could a bond be placed on behalf of the ship so that she would continue on her journey? What I am thinking of, Sir, is, for instance, one of our ships should come in here, they found marijuana or cocaine or some other drug on it, the ship is seized and would in probably be detained which would throw the ship off schedule and could cause a loss of revenue and a lot of inconvenience, is there somehow in this law we could place a bond - the company would be allowed to put down a bond so they are allowed in the United States? And then the ship is allowed to proceed with her regular trade. This would also apply, Sir, even to our own airlines - Cayman Airline, so we might be - what I'm trying to suggest here, Sir, is that we do not have a law which hasn't got some flexibility in it and would cause a lot of inconvenience to innocent people.

MR. CHAIRMAN: I'd like to dispose of the amendment first, and I think the Honourable Member's question can remain for answering when we're discussed of the amendment. I'll put the question on the amendment that Clause 2 (b) be amended as suggested by the Honourable mover of the Bill.

QUESTION PUT: CLAUSE 2 PASSED AS AMENDED.

MR. CHAIRMAN: I'll now ask the Honourable Attorney General to deal with the point raised.

HON. DAVID F. BAGNICK: First, could I ask whether the Honourable mover of the Bill wishes to address himself to this matter? I'm quite happy to deal with it but as it is his bill I think it would be courteous to grant him an opportunity to do so.

HON. HUMAN M. BODDEN: Well, perhaps if you dealt fully with it - what would appear to be the situation now is, that if after the vessel has been confiscated after there has been a conviction, it then reverts to the Crown and the Crown may then if it wished, its discretion allow it to sail provided it is satisfied that a bond satisfactory to it - that would be - has been placed, this appears to be the position.

Under section 14 (1) which we have not amended, there is a bit of a problem there if one is taken into consideration prior to the conviction or prior to the hearing of an offence. Then I don't think in those circumstances that the Crown could intervene, the difference here would be that it's discretionary in the Crown in the United States, it is a bond which is fixed by the Court to the satisfaction of the Court. I don't know if the Attorney General would like to comment any further on this.

HON. DAVID H. MACKINNON: I am obliged to answer this. The position as I understand it is as the Honourable Member has put it, that once the vessel has been forfeited by order of the Court then it is the property of the Crown and the Crown can do with that vessel as it will, that is the present position, Sir, under the section as it stands at the moment, and amended. Where a vessel has been seized by the Police in pursuance of their duties under the Drugs Law and it is their possession, and different considerations apply, the considerations that apply then are the same considerations that apply to any exhibit which has been seized by the Police in Court proceedings, and the disposal of that exhibit is a matter for the Crown having a regard for its evidentiary value, and even, of course, it has been put in evidence an order for the court to decide whether or not it would be returned to lawful owners. There is no court that I can imagine would refuse to allow an exhibit or an item or a vessel which have been seized by the Police as an exhibit, not to be returned to its lawful owners unless there was some essential reason for keeping it in the interests of the proper prosecution of the offender/whereas you have an enormous ship being detained by the Police, then normally it would be released by their order bond. This wouldn't be produced as part of the evidence in any proceedings, and I don't really envisage that problems of this sort which the Member alludes to, they, I think arise partly from the way in which the American law is conditioned, although I don't understand - I don't hold myself as being competent to advise on that law, Sir.

HON. C.L. KIRKCONNELL: Mr. Chairman, I think I'm reasonably satisfied, but I felt that there should be some flexibility built into the law here. However, with the explanation I accept it, Sir.

MR. CHAIRMAN: I'll put the question that Clause 2 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED PASSED.

CLERK: A LAW TO AMEND THE MISUSE OF DRUGS LAW, 1972.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes examination on the Misuse of Drugs (Amendment) Law, 1978. The next Bill before the Committee is the Education (Amendment) Law, 1978.

THE EDUCATION (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT OF LAW 22 OF 1966.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE EDUCATION LAW.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes consideration of the Education (Amendment) Law, 1976. I propose now to resume in the Assembly to allow an hour adjournment for fifteen minutes. The Assembly will resume.

The Assembly will again move into committee to consider the remaining Bill in committee. The Assembly is now into committee, we'll turn now to the Matrimonial Law, 1976. As there are only two amendments down to Clauses 7 and 8 I'll propose to take the Clauses in groups, Clauses 1 to 6 to begin with, then move on singly individually, and thereafter in groups of five Clauses. Members are of course free to raise any points on any individual clause.

THE EVIDENCE LAW, 1978

COMMITTEE STAGE

CLERK: CLAUSE 1. SHORT TITLE AND COMMENCEMENT.

CLAUSE 2. INTERPRETATION.

CLAUSE 3. POWER TO ADMINISTER OATH.

CLAUSE 4. IMPEACHING CREDIT OF A WITNESS.

CLAUSE 5. QUESTIONS AS TO WHETHER A WITNESS HAS BEEN CONVICTED OF AN OFFENCE ALLOWABLE.

CLAUSE 6. PROOF OF INSTRUMENTS IN WRITING.

MR. CHAIRMAN: The question is that Clauses 1 to 6 stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 1 TO 6 PASSED.

CLERK: CLAUSE 7. MODE OF PROOF OF ENTRIES IN BANKER'S BOOKS.

QUESTION PROPOSED:

HON. DAVID R. HARVICK: I have an amendment down on 7, Sir, about which I gave the House notice yesterday. The amendment that I wish to make is for the purpose of removing all doubt as to the application to the evidence referred to in the section of the Banks and Trust Companies Regulation Law and the Confidential Relationships (Preservation) Law. And the proposed amendment that I would ask the House to support, Sir, is the addition immediately following the words "Subject to" at the beginning of sub-clause 1 of Clause 7 of the words quote :- "The Banks and Trust Companies (Regulation) Law (Revised), the Confidential Relationships (Preservation) Law and to".

MISS ANNIE H. BODDEN: Could you repeat that please, Sir, I haven't got all of it.

HON. D.H. FIGUEROA: It was circulated, the amendment.

MISS ANNIE H. BODDEN: I didn't get a copy.

HON. DAVID R. HARVICK: After the words "Subject to" in sub-clause 1 .....

MISS ANNIE H. BODDEN: If it was circulated, Sir, I'll get it, don't bother.

HON. DAVID R. HARVICK: Ok. Thank you.

MR. CHAIRMAN: Well, the question is that Clause 7 be amended as set out on the paper circulated and as read out by the Honourable Attorney General.

HON. DAVID H. BANWICK: I notice, Sir, that the amendment as circulated contained the words "the provisions of the Banks and Trust Companies (Regulation) Law(Revised) and the Confidential Relationships (Preservation)Law and to".

MR. CHAIRMAN: If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSE 7 AMENDED.

MR. CHAIRMAN: I'll now put the question that Clause 7 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 7 AS AMENDED PASSED.

CLERK: CLAUSE 8. COURT MAY ORDER INSPECTION OF BANKER'S BOOKS.

QUESTION PROPOSED:

HON. DAVID H. BANWICK: Sir, I again have notice of a similar amendment for similar reasons to this clause of the Bill. With your permission, Sir, I'll read the proposed amendment. "Subject to the provisions of the Banks and Trust Companies (Regulation) Law (Revised) and the Confidential Relationships (Preservation) Law on" be substituted for the word "on" at the beginning of the Clause in the Bill as published.

MR. CHAIRMAN: The question is that Clause 8 be restored as set out on the paper circulated, and as moved by the Honourable Attorney General.

HON. L.R. FOSTER: If I understand it right then, Sir, the court will not be able to order the inspection of any books unless it goes through all these other laws first.

HON. DAVID H. BANWICK: The effect of the amendment is to preserve the present restrictions that are on secrecy of banking matters, and to make it quite clear that this is merely a method of producing the evidence, the question of whether or not that evidence can be produced is still governed by the two laws which govern the production of such evidence today, Sir.

QUESTION PUT: AGREED. CLAUSE 8 AMENDED.

MR. CHAIRMAN: The next question is that Clause 8 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 8 PASSED AS AMENDED.

CLERK: CLAUSE 9. COMPARISON OF HANDWRITING.
CLAUSE 10. OFFICIAL OR PUBLIC DOCUMENTS, ETC.
CLAUSE 11. PRIVATE LAWS AND MINUTES OF THE LEGISLATIVE ASSEMBLY.
CLAUSE 12. ACTS OF STATE, ETC.
CLAUSE 13. PROBATES OF WILLS.

MR. CHAIRMAN: The question is that Clauses 9 to 13 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 9 to 13 PASSED.

CLERK: CLAUSE 14. JUDICIAL NOTICE TO BE TAKEN OF SIGNATURES OF CERTAIN JUDGES.
CLAUSE 15. CERTIFICATE OF CONVICTION OR ACQUITTAL.
CLAUSE 16. EXAMINED COPIES OR EXTRACTS OF BOOKS OF A PUBLIC NATURE.
CLAUSE 17. GOVERNMENT NOTICES.

MR. CHAIRMAN: The question is that Clauses 14 to 17 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 14 to 17 PASSED.

CLERK: CLAUSE 18. ACCUSED PERSONS ETC, AS COMPETENT WITNESSES.
CLAUSE 19. JUDGE'S NOTES TO HAVE EFFECT FOR T&M.
CLAUSE 20. WHERE ACCUSED PERSONS GIVE EVIDENCE.
CLAUSE 21. RIGHT OF REPLY.
CLAUSE 22. PENDG OF CRIMINAL INTENT.

MR. CHAIRMAN: The question is that Clauses 18 to 22 do stand part of the Bill.

QUESTION PROPOSED.

HON. DAVID R. HERWICK: Sir, with the leave of the House I would like to propose two amendments to the Clauses which have been called together. The first of them relates to Clause 18. The present paragraph numbered (b), an explanation, Sir, since the House raised yesterday, it's apparent to me that this Clause if it's allowed to stand in its present form will in fact make an amendment to the Criminal Law, an amendment which may not fairly fit within the undertaking that I gave yesterday that there was nothing of the controversial nature in this Bill. Now that reason, although it may be that at a later date a similar amendment of the Law will come to the House. I would like to restore the Law in so far as this matter relates to the Law as it stands at present; this can be done fairly simply, Sir, I think by striking out in lines one and two of the paragraph the words which follow the word "offence" down as far as (b) in the next line so that line (b) would read: "the charge of a person charged with an offence", that's the first line of paragraph (b), and the second line would read: "may not be called as a witness". In otherwords, I'm removing the words in my proposed "under any Law or part of a Law mentioned in the First Schedule may", and I'm substituting for those words "may not".

MR. CHAIRMAN: If I've got that correct, it would now read:- "The charge of a person charged with an offence may not be called as a witness".

HON. DAVID R. HERWICK: Sir, that's correct: and that's the present law.

MR. CHAIRMAN: Perhaps I should put the question on that that Clause .....

HON. H. HAIG HODGES: Mr. Chairman, just one - would you also leave out the word "and" in the third line?

HON. DAVID R. HERWICK: Correct, Sir. We may make it part of the same amendment.

MR. CHAIRMAN: I'll put the question that Clause 18 be amended as proposed by the Honourable Attorney General.

QUESTION PUT: AGREED. CLAUSE 18 AMENDED.

HON. DAVID R. HERWICK: The second of the two amendments to which I refer to is Clause 20, and it may well be one that the Clerk will note at the Table, Sir. The words "at a later stage" have been put in twice by the printer, I noticed; "unless, at a later stage, they obtain leave of the court to give evidence at such later stage".

MR. CHAIRMAN: Which one is suggested to be removed?

HON. DAVID R. HERWICK: I would suggest that the words "at a later stage" where they finally appear be removed.

MR. CHAIRMAN: And would "such" become "a"?

HON. DAVID R. HERWICK: That's correct, Sir.

MR. CHAIRMAN: "Unless they obtain leave of the court to give evidence at a later stage".

HON. DAVID R. BARNETT: Yes, Sir.

MR. CHAIRMAN: Well, I'll put the question that Clause 26 be amended as proposed by the Honourable Attorney General.

QUESTION PUT: AGREED. CLAUSE 26 AMENDED.

MR. CHAIRMAN: I'll now put the question that Clause 19 as amended, Clause 19, Clause 20 as amended, Clause 21 and Clause 22 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 19 TO 32 PASSED.

CLERK: CLAUSE 23. ADMISSIBILITY OF CERTAIN RECORDS IN CRIMINAL CASES.

CLAUSE 24. PROOF IN CRIMINAL PROCEEDINGS BY WRITTEN STATEMENT.

CLAUSE 25. PROOF OF FORMAL ADMISSION.

CLAUSE 26. DISCRETION OF COURT TO EXCLUDE EVIDENCE IN CRIMINAL PROCEEDINGS.

MR. CHAIRMAN: The question is that Clauses 23 to 26 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 23 TO 26 PASSED.

CLERK: CLAUSE 27. PARTIES AS WITNESSES IN CIVIL CASES.

CLAUSE 28. EVIDENCE IN CASES ARISING FROM BREACH OF PROMISE OF MARRIAGE.

CLAUSE 29. ADMISSIBILITY OF HEARSAY EVIDENCE IN CIVIL CASES.

CLAUSE 30. ADMISSIBILITY OF OUT-OF-COURT STATEMENTS.

CLAUSE 31. WHEN WITNESS'S PREVIOUS STATEMENT MAY BE EVIDENCE.

MR. CHAIRMAN: The question is that Clauses 27 to 31 do stand part of the Bill.

QUESTION PROPOSED:

HON. C. HAIG BOSDEN: Mr. Chairman, I just want to ask the Second Assistant Member if the word "excepted" in the last line of Clause 29 should be "exempted", or is "excepted" correct?

HON. DAVID R. BARNETT: No. "Excepted" is correct.

QUESTION PUT: AGREED. CLAUSES 27 TO 31 PASSED.

CLERK: CLAUSE 32. ADMISSIBILITY OF CERTAIN RECORDS.

CLAUSE 33. CHAPTERS.

CLAUSE 34. PROVISIONS SUPPLEMENTARY TO SECTIONS 30, 33 OR 32.

CLAUSE 35. ADMISSIBILITY OF EVIDENCE AS TO CREDIBILITY OF MAKER ETC., OF CERTAIN STATEMENTS.

CLAUSE 36. ADMISSIBILITY OF CERTAIN HEARSAY EVIDENCE FORMERLY ADMISSIBLE AT COMMON LAW.

MR. CHAIRMAN: The question is that Clauses 32 to 36 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 32 TO 36 PASSED.

CLERK: CLAUSE 37. CONVICTIONS AS EVIDENCE IN CIVIL PROCEEDINGS.

CLAUSE 38. FINDINGS OF ADULTERY AND PATERNITY AS EVIDENCE IN CIVIL PROCEEDINGS.

CLAUSE 39. CONCLUSIVENESS OF EVIDENCE FOR PURPOSES OF DEFAMATION ACTIONS.

CLAUSE 40. PRIVILEGE AGAINST INCRIMINATION OF SPOUSE OR SPOUSE, ETC.

CLAUSE 41. RULES.

MR. CHAIRMAN: The question is that Clauses 37 to 41 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 37 TO 41 PASSED.

CLERK: CLAUSE 42. PROOF OF SERVICE OF SUMMONS.

CLAUSE 43. FORM OF AFFIDAVIT.

CLAUSE 44. ORIGINAL SUMMONS TO BE MARKED WITH CONTINUATION.

CLAUSE 45. AFFIDAVIT SHALL BE RECEIVED IN EVIDENCE.

CLAUSE 46. PROOF OF SERVICE OF PROCESS.

MR. CHAIRMAN: The question is that Clauses 42 to 46 do stand part of the Bill.

QUESTION PROPOSED:

HON. DAVID F. KENWICK: Mr. There is a consequential amendment to Clause 43. The words that I removed, which were removed by the amendment to Clause 19 removed reference to the First Schedule, so that reference in the last line of Clause 43 to the Second Schedule can now just become a reference to "the Schedule" so that the word "Second" can be deleted from the last line of Clause 43 and from the marginal note against that line.

HON. THOMAS M. HOOPER: And also in the side note we would like the word "second" off, Sir.

MR. CHAIRMAN: The Honourable Attorney General has just remarked that, I think. I'll put the question that Clause 43 be amended by the deletions proposed by the Honourable Attorney General.

QUESTION PUT: AGREED. CLAUSE 43 AMENDED.

MR. CHAIRMAN: I'll now put the question that Clause 42, Clause 43 as amended, Clauses 44 to 46 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 42 TO 46 PASSED.

CLERK: CLAUSE 47. POWER OF COURT TO IMPOUND DOCUMENTS.

CLAUSE 48. FALSE CERTIFICATES.

CLAUSE 49. WITNESS ABOUT TO LEAVE THE ISLANDS.

CLAUSE 50. REPEAL OF O.P. 49.

MR. CHAIRMAN: The question is that Clauses 47 to 50 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 47 TO 50 PASSED.

CLERK: THE SCHEDULE.

HON. DAVID F. KENWICK: The First Schedule come out, Sir.

MR. CHAIRMAN: And second

HON. DAVID R. BARWICK: The Second Schedule is amended in the heading, that's by the deletion of the word "second".

CLERK: THE FIRST SCHEDULE.

MR. CHAIRMAN: The question is that the First Schedule do stand part of the Bill. I think we've got to vote this out, haven't we? Members are requested to vote against this proposal to leave us with only one Schedule.

QUESTION PUT: AGREED.

CLERK: SECOND SCHEDULE.

MR. CHAIRMAN: The question is that the Second Schedule do stand part of the Bill.

QUESTION PROPOSED.

HON. DAVID H. BARWICK: I would support the motion, Sir, subject to the amendment by the deletion of the word "second" in the heading which now becomes obtuse.

MR. CHAIRMAN: As being proposed that the Second Schedule be amended by deletion of the word "second" in the title leaving simply the word "Schedule". The question is that the Schedule be amended as proposed.

QUESTION PUT: AGREED. THE SCHEDULE PASSED.

CLERK: A LAW TO REPEAL AND RE-ENACT IN AMENDED FORM THE NUISANCE LAW (CAP. 40).

QUESTION PUT: AGREED. THE TITLE AGREED.

MR. CHAIRMAN: That concludes our examination of the Nuisance Law, 1979. We turn now to a Bill entitled "The Births and Deaths Registration Law, 1979. As again, there are no amendments before the Assembly. I would propose to take this Bill again in groups of five clauses.

HON. ANNIE H. BODDEN: The only thing, Mr. Chairman, at the back to the Clerk of the Executive Council, that should be Legislative Assembly.

HON. D.H. FOSTER: Right on the back.

MR. CHAIRMAN: The Clerk suggested that we take the first and second parts, I think in groups.

THE BIRTHS AND DEATHS REGISTRATION LAW, 1979

CITATION AND INTERPRETATION

CLERK: CLAUSE 1. SHORT TITLE.
CLAUSE 2. INTERPRETATION.
CLAUSE 3. THE REGISTRY.

MR. CHAIRMAN: The question is that Clauses 1 to 3 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 1 TO 3 PASSED.

CLERK: CLAUSE 4. THE REGISTRAR-GENERAL.
CLAUSE 5. APPOINTMENT AND SALARIES OF CLERKS, ETC.
CLAUSE 6. PAYMENT OF SALARIES, ETC.
CLAUSE 7. DEPUTY TO THE REGISTRAR GENERAL.
CLAUSE 8. REGULATIONS.

CLERK (CONTINUING):

CLAUSE 5. FEES OF REGISTRAR-GENERAL TO BE PAID INTO TREASURY.

CLAUSE 10. PUBLICATION OF ACTS REQUIRED TO BE DONE IN REGISTERING BIRTHS AND DEATHS.

MR. CHAIRMAN: The question is that Clauses 5 to 10 do stand part of the Bill.

QUESTION PROPOSED:

HON. TRUMAN M. BODDEN: Mr. Chairman, in Section 10, I'm wondering if we could update that a bit by deleting from after the word "By" in the first line down to "districts" in the third line and insert "by notice in the Gazette", so that it would now read "The Registrar-General is required by notice in the Gazette to inform the public of the several acts required to be done" instead of him having "putting it up on the Chapels and Churches. The Presbyterian Church recently has a very nice door and I wouldn't like to see any indentations in that.

HON. D.H. FOSTER: I can see the Member's point, Sir, but how many people use the Gazette?

HON. TRUMAN M. BODDEN: Well, in the Caymanian Times, it could be made alternative? Well, why couldn't we leave this in the form of saying, "shall by notice given in the Gazette, Newspaper or by Radio, or in this way".

HON. V.G. JOHNSON: Mr. Chairman, I think as far as the Authorities are concerned the provisions in Section 10 would be more in line with what happens at present. I think the radio and newspaper are for publications generally, but matters of registration of births and deaths pertain more to individuals, and the publication has to be done at a place convenient to the public, and through the ages these sort of publications have always been made as is proposed in the Law at present.

HON. TRUMAN M. BODDEN: I'm wondering, Sir, if we could also give the Registrar a power that he could do it in some other manner, because, I mean, very few churches even have notice boards anymore; and leave alternatives there that it could be done that he could put this in the Newspaper, because this seems to be the most obvious way.

HON. V.G. JOHNSON: Putting it in the Newspaper is also expensive, Sir, you have to pay for it.

HON. D.H. FOSTER: Mr. Chairman, if I understand that Section correctly anyhow, all we just telling the people what they are required to do to register a birth or register a death, this doesn't change that method at all. So, it probably won't be any necessity to publish anywhere really, as I see it, it's just that it's in Law, that's all. If there is ever coming a time to change it, for instance, change a Registrar's office from the Library to somewhere else, well, then you put out a notice about it as the case may be, but I don't see this being used very often at all.

HON. TRUMAN M. BODDEN: I think you may find that at present things like, a period of time during which you have to register within and the duty on whom this lies, so I think the public should know of this. I personally don't feel that to put a notice, place it outside the several churches and chapels' doors and other public and conspicuous places it will reach the public. But, I mean, if the House feels that it will reach the public, and this Law will go through fair enough, but I see no reason why an alternative couldn't be given. Because, now a very good example is, people are buried without a burial certificate, and I don't think anybody knows this.

MISS ANNIE E. BODDEN: Mr. Chairman, the most cases that I have the deaths have not been registered - I hate to have to say what I'm going to say - it's due to the Coroner not sending a certificate of some kind to Registrar or perhaps

MISS ANNIE B. BODDEN(CONTINUING): a person dying in an accident or something, their death is never registered; unfortunately, not too many cases, but the average person I'm sure knows the proceedings to have a death or birth registered. But in some cases I have had cases where an accident occurred, and the Coroner whoever he or she might have been failed to send in a certificate that this death could be registered. I have, for instance, was a boy at West Bay, he has been dead for many years and they are trying to administer - and the only thing I knew was to get an affidavit from the parents, and I have applied several times and wrote to Government to have this death registered, unfortunately, it has never been, but the average person knows that they must register a birth or death. So, I don't think this would really change the situation too much.

HON. V.G. JOHNSON: Mr. Chairman, couldn't an alternative be named in section 10, an alternative to what is stated here; and the alternative would be in the Gazette, as well.

HON. DAVID R. DARWICK: One difficulty I see there, Sir, is that if he publishes it in the Gazette, then he satisfied the provisions of this Section by complying with the alternatives. And it would appear on no church doors at all, and it may be that this is not the best way of communicating to all members of the public throughout the Islands. That's rather a unilateral observation rather than the one that goes to the churches at the moment.

HON. THOMAS M. BODDEN: Mr. President, there is no reason why he cannot put it in the Compass anyhow; this is a mandatory minimum, but it now means that he must go and put this on the church doors, which means only church goers are going to probably see it. But, there is no reason why he cannot if he found it necessary to publish it in the Newspapers or in the Gazette, Radio or whatever he wishes.

HON. V.G. JOHNSON: I agree with that, Sir.

MR. CHAIRMAN: It seems to me that to get around to the Attorney General's point one should perhaps insert "and in the Gazette and in Newspapers" after the word "districts" which would require him to continue to post the notices in districts and to publish in the Gazette and in Newspapers if Members feel that is desirable.

HON. DAVID R. DARWICK: I'll just suggest, Sir, that it may meet the mood of the House to propose that "he publish the notices in the Gazette, and such" - to adopt the wording here "the outside of the several churches and chapel doors" if he thinks it's necessary or useful to do so. If the idea appeals at all, Sir, I can soon construct some specific wording. It is mandatory to put it in the Gazette and discretionary for him to put it on church doors where he thinks it is necessary to bring it to the notice of the public.

MR. CHAIRMAN: I think we're starting for to suppose what we want to be put in, after that, the Attorney General I think can propose a formal amendment.

HON THOMAS M. BODDEN: Now, that it is - I assume that the Registrar General will do this anyhow, and perhaps if necessary - and the feeling is that they can be left this way, and he can then publish it in the Newspaper or in the Gazette or whatever he wish. It may pose an amending this section, this makes it mandatory, but I assume that it is to the benefit of the office of the Registrar General that people know what they have to do. These Sections are mandatory sections in relation to certain certificates and certain duties, they're penal sections, and I guess the law is published. But, what perhaps could be done is after the word "districts" we could add "and in such other form" or "in such media as he deems necessary" or something to that effect - to know how the Attorney General feels if he may get caught up in the gist that this similarity has to be ruled by the words prior to it.

HON. DAVID R. DARWICK: This is one .....

HON. THOMAS M. BODDEN: If there is any problem there after the word "published" "required" in the first line you could put "the Registrar General is required to/-

HON. TRUMAN M. DODDEN(CONTINUING): in such form" or"in such manner as he deems fit, and by notices to be placed" that would leave .....

HON. V.O. HOWARTH: There is a lot then, Sir. You'll have to do the lot then, Sir.

MISS ANNIE R. BUDDEN: Mr. Chairman, as I read this Section, it says, "The Registrar General is required by notices to be placed on the outside of the several churches and chapel doors and in other public and conspicuous places within the respective registration districts", it does not necessarily as I understand it mean that if you put it on the church you'll have to put it on the chapel or if you put it - I take it that if you put it - and the notice, "and in other public and conspicuous places" would take care of the business. In otherwords if you put it on the Court House, on the window or something, that would be a conspicuous place, it would not necessarily mean as I take it that it would have to be on the church or on a chapel and the Court House as well. I suppose one conspicuous place for the time being or two or three as the case may be, police station or whatever it is .....

HON. TRUMAN M. DODDEN: Mr. Chairman, rather than to continue anything further on this, I think it's discretionary in the regulations so I will withdraw my amendment. I'll just leave it as it is, because we seem to be going around a bit in circles.

MISS ANNIE R. BUDDEN: I wouldn't say we're going around in circles, it's our duty if we believe a thing is to be contested to contest it. But I say, as I understand this thing, and everybody knows more or less what has to happen when a person dies or is born; and in conspicuous places as I understand it, within the respective districts. Well, in North Side perhaps it would be in the Town Hall or on the church as the case may be or a notice board.

One thing while we've dealing with this, Mr. Chairman, (if I'm out of order, please correct me, Sir) - I feel that in each and every districts they should have proper notice boards, and as it used to be in the past where you could put such notices on.

MR. CHAIRMAN: Well, it has now been suggested that the Clause be left as it is which would leave it possible to instruct the Registrar General administratively to give rather wider publicity than is allowed for under the Law. So, I'll put the question that Clauses 4 to 10 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 4 TO 10 PASSED.

CLERK: CLAUSE 11. WHOSE DUTY IT IS TO INFORM REGISTRAR OF BIRTH.

CLAUSE 12. BIRTH IN PUBLIC INSTITUTION OR PRIVATE HOSPITAL.

CLAUSE 13. POWER OF REGISTRAR TO REQUIRE PERSONS TO ATTEND.

CLAUSE 14. WHOSE DUTY IT IS TO INFORM AS TO BIRTH OF A NEW BORN CHILD FOUND EXPOSED.

CLAUSE 15. MIDWIFE TO NOTIFY REGISTRAR OF BIRTH.

MR. CHAIRMAN: The question is that Clauses 11 to 15 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 11 TO 15 PASSED.

CLERK: CLAUSE 16. DUTY OF REGISTRAR AS TO BIRTHS AND REGISTERING SAME.

CLAUSE 17. REGISTRATION OF A BIRTH.

CLAUSE 18. HOW A PERSON WHO HAS REMOVED FROM THE PROPER DISTRICT MAY GIVE INFORMATION.

CLAUSE 19. NAME OF FATHER OF ILLEGITIMATE CHILD TO BE ENTERED BY REGISTRAR.

CLAUSE 20. REGISTRY OF NAME OR ALTERED NAME OF CHILD GIVEN SINCE FIRST REGISTRATION.

CLERK (CONTINUING):

CLAUSE 17. REGISTRAR'S CERTIFICATE OF REGISTRATION AND FEE.

MR. CHAIRMAN: The question is that Clauses 16 to 21 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 16 TO 21 PASSED.

CLERK: CLAUSE 22. DEATH AND CAUSE OF DEATH TO BE REGISTERED.
CLAUSE 23. INFORMATION AND REGISTRY OF ANY DEATH IN 5 HOURS.
CLAUSE 24. INFORMATION OF ANY DEATH OR OF ANY BODY FOUND ELSEWHERE THAN IN A HOUSE.
CLAUSE 25. EXTENSION OF TIME IF COMMITTEE NOTICE, ETC. SENT.
CLAUSE 26. POWERS OF REGISTRAR TO REQUIRE PERSONS TO ATTEND.

MR. CHAIRMAN: The question is that Clauses 22 to 26 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 22 TO 26 PASSED.

CLERK: CLAUSE 27. DUTY OF REGISTRAR AS TO DEATHS AND REGISTERING THEM.
CLAUSE 28. CERTIFICATE OF DEATH FOR FRIENDLY SOCIETY.
CLAUSE 29. REGISTRATION OF A DEATH AFTER TWELVE MONTHS.
CLAUSE 30. CORONER TO CERTIFY AS TO INQUEST AND FINDING, REGISTRATION: QUESTION.
CLAUSE 31. REGISTRATION OF STILL-BIRTHS.

MR. CHAIRMAN: The question is that Clauses 27 to 31 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 27 TO 31 PASSED.

CLERK: CLAUSE 32. REGISTRAR'S CERTIFICATE AND ORDER FOR BURIAL.
CLAUSE 33. BURIAL OF STILL-BORN CHILD.
CLAUSE 34. AS TO BURIAL OF TWO BODIES IN ONE COFFIN.
CLAUSE 35. AS TO CERTIFICATE OF CAUSE OF DEATH.
CLAUSE 36. AS TO UNCERTIFIED DEATH.

MR. CHAIRMAN: The question is that Clauses 32 to 36 do stand part of the Bill. If there is no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSES 32 to 36 PASSED.

CLERK: CLAUSE 37. RETURN OF BIRTHS AND DEATHS ON HOME WATERS OR COASTING VESSELS.
CLAUSE 38. REGISTRAR'S DISTRICTS; THEIR FORMATION AND ALTERATION.
CLAUSE 39. APPOINTMENT, ETC. OF REGISTRARS.
CLAUSE 40. APPOINTMENT AND DUTIES, ETC., OF DEPUTIES OF REGISTRARS.
CLAUSE 41. REGISTRAR AND DEPUTY REGISTRAR TO RESIDE OR HAVE AN OFFICE WITHIN HIS DISTRICT.

MR. CHAIRMAN: The question is that Clauses 37 to 41 do stand part of the Bill. If there are no speakers I'll put the question.

QUESTION PUT: AGREED. CLAUSES 37 TO 41 PASSED.

CLERK: CLAUSE 42. REGISTRAR TO FURNISH CERTIFIED RETURNS AS REQUIRED.
CLAUSE 43. REGISTER BOOKS AND FORMS TO BE PROVIDED.

CLERK(CONTINUING):

CLAUSE 44. HOW BIRTHS AND DEATHS TO BE REGISTERED.

CLAUSE 45. TRANSMISSION MONTHLY OF REGISTRATION FORMS AS FILLED UP.

CLAUSE 46. CUSTODY OF REGISTRATION FORM BOOK BY DISTRICT-MAN.

MR. CHAIRMAN: The question is that Clauses 42 to 46 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 42 TO 46 PASSED.

CLERK: CLAUSE 47. REGISTRATION FORM BOOKS TO BE EXAMINED BY THE REGISTRAR-GENERAL.

CLAUSE 48. EXAMINATION AND CUSTODY THEREOF, BY REGISTRAR-GENERAL.

CLAUSE 49. CONSTITUTION OF GENERAL REGISTER OF BIRTHS AND DEATHS.

CLAUSE 50. TRANSFER OF BOOKS, ETC. TO SUCCESSOR IN OFFICE OF REGISTRAR.

MR. CHAIRMAN: The question is that Clauses 47 to 50 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 47 TO 50 PASSED.

CLERK: CLAUSE 51. HOW ERRORS TO BE CORRECTED.

CLAUSE 52. RE-REGISTRATION ON BIRTH OF LEGITIMATED PERSONS.

CLAUSE 53. REGISTRAR-GENERAL TO REPORT ANNUALLY TO THE LEGISLATIVE ASSEMBLY.

CLAUSE 54. INDICES TO REGISTERS IN REGISTRY; SEARCHING AND OFFICE COPIES.

CLAUSE 55. CERTIFIED COPY OF ENTRY IN REGISTERS.

MR. CHAIRMAN: The question is that Clauses 51 to 55 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 51 TO 55 PASSED.

CLERK: CLAUSE 56. REGISTRAR TO PERFORM ANYTHING TO REGISTRAR-GENERAL.

CLAUSE 57. SEAL OF OFFICE; ITS USE.

CLAUSE 58. HOW FAR CERTIFIED COPIES EVIDENCE.

CLAUSE 59. EXEMPTION FROM STAMP DUTY.

CLAUSE 60. EXPENSES OF CARRYING OUT THIS LAW.

MR. CHAIRMAN: The question is that Clauses 56 to 60 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 56 to 60 PASSED.

CLERK: CLAUSE 61. REGISTRAR-GENERAL TO KEEP CIVIL STATUS REGISTERS.

CLAUSE 62. ENTRIES IN REGISTERS, HOW FAR EVIDENCE.

CLAUSE 63. REFUSAL OR OMISSION TO REGISTER, OR LOSING OR INJURING REGISTER BOOKS.

CLAUSE 64. OBLIGATIONS TO GIVE INFORMATION OR CERTIFICATE REQUIRED BY THIS LAW AND GENERAL PENALTY.

CLAUSE 65. FORMS IN FIRST SCHEDULE INCORPORATED.

CLAUSE 66. POWERS TO ALTER FORMS, AND MAKE AND ALTER RULES.

MR. CHAIRMAN: The question is that Clauses 61 to 66 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 61 TO 66 PASSED.

CLERK: CLAUSE 67. POWER EMPOWER AND POWER TO ALTER, DELETE OR ADD TO GUCE FEES.
CLAUSE 68. REPEAL OF CAP. 148.
CLAUSE 69. SAVINGS.

MR. CHAIRMAN: The question is that Clauses 67 to 69 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 67 to 69 PASSED.

CLERK: FIRST SCHEDULE.

QUESTION PUT: AGREED. THE FIRST SCHEDULE PASSED.

CLERK: SECOND SCHEDULE.

QUESTION PUT: AGREED. THE SECOND SCHEDULE PASSED.

CLERK: A LAW TO REPLACE THE EXISTING LAW FOR THE REGISTRATION OF BIRTHS AND DEATHS.

QUESTION PUT: AGREED. THE TITLE PASSED.

MR. CHAIRMAN: That concludes examination of the Births and Deaths Registration Law, 1978. There will be an amendment made right at the end in the signature where it says "Clerk of the Executive Council" to be amended to "Clerk of the Legislative Assembly". We'll now turn to the last Bill which is the Land Holding Companies Share Transfer Tax (Amendment) Law, 1978.

THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2. AMENDMENT TO SECTION 2 OF THE LAND HOLDING COMPANIES SHARE TRANSFER TAX LAW.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: CLAUSE 3. REPEAL AND REPLACEMENT OF SECTION 8 OF THE PRINCIPAL LAW.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: CLAUSE 4. SAVINGS.

QUESTION PUT: AGREED. CLAUSE 4 PASSED.

CLERK: A LAW TO AMEND THE LAND HOLDING COMPANIES SHARE TRANSFER TAX LAW.

QUESTION PUT: AGREED. THE TITLE PASSED.

HON. V.G. JOHNSON: Mr. Chairman, just for the benefit of the Clerk. In Section 7, the last line, "transfer" has a typographical error.

MR. CHAIRMAN: Thank you. That concludes our proceedings in committee and the Assembly will now resume.

HOUSE RESUMED

THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) LAW, 1978

THIRD READING

HON. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled "The Land Holding Companies Share Transfer Tax (Amendment) Law, 1978" was examined clause by clause by a committee of the whole House and passed without

HON. V.G. JOHNSON (CONTINUING): amendments.

SUSPENSION OF STANDING ORDER 47

HON. V.G. JOHNSON: Mr. President, the Third Reading will be taken at this sitting, and so I beg to move the suspension of Standing Order 47 in order to take the Third Reading at this time, Sir.

QUESTION PUT: AGREED. STANDING ORDER 47 WAS SUSPENDED.

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THE CAYMAN ISLANDS PUBLIC LIBRARY (AMENDMENT) LAW, 1978

REPORT STAGE

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a Bill entitled "The Cayman Islands Public Library (Amendment) Law, 1978" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: The Bill is accordingly set down for Third Reading.

THIRD READING

CLERK: The Cayman Islands Public Library (Amendment) Law, 1978.

MOVED BY: HON. TRUMAN M. BODDEN.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

MR. PRESIDENT: I think to save confusion we might return and take the Third Reading of the Land Holding Companies Share Transfer Tax (Amendment) Law, 1978.

HON. V.G. JOHNSON: There seemed as if there was confusion in the procedure, Sir. (LAUGHTER)

THE LAND HOLDINGS COMPANIES SHARE TRANSFER TAX (AMENDMENT) LAW, 1978

THIRD READING

MOVED BY: HON. V.G. JOHNSON.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

MR. PRESIDENT: We'll proceed with the Report stage on the next Bill - the Marriage (Amendment) Law, 1978.

THE MARRIAGE (AMENDMENT) LAW, 1978

REPORT STAGE

HON. V.G. JOHNSON: Mr. President, I beg to report that a Bill entitled "The Marriage (Amendment) Law, 1978" was considered clause by clause by a committee of the whole House and passed without amendments.

MR. PRESIDENT: The Bill is accordingly set down for Third Reading.

THIRD READING

CLERK: The Marriage (Amendment) Law, 1978.

MOVED BY: HON. V.G. JOHNSON.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

THE LAWS (MISCELLANEOUS REPEALS) LAW, 1976

REPORT THEREON

HON. DAVID K. DARWICK: Mr. President, Sir, I beg to report that a Bill entitled "The Laws (Miscellaneous Repeals) Law, 1976" was today examined by a committee of the whole House clause by clause and was passed without amendments. Sir, I ask that the Third Reading be taken today.

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THIRD READING

CLERK: The Laws (Miscellaneous Repeals) Law, 1976.

MOVED BY: HON. DAVID K. DARWICK.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

THE MISUSE OF DRUGS (AMENDMENT) LAW, 1976

REPORT THEREON

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a Bill entitled "The Misuse of Drugs (Amendment) Law, 1976" was considered by a committee of the whole House and passed with the following amendment:- namely, that in the new sub-section(6)paragraph (a) sub-paragraph (2) between the words "passed" and "by" on the sixth line of the circulated copy of the Bill the insertion of the word "in" and that the alphabet (i) be placed before the word "subject" in the new sub-section (6) paragraph (b) where it appears in the last line.

MR. PRESIDENT: The Bill is accordingly set down for a Third reading.

THIRD READING

CLERK: The Misuse of Drugs (Amendment) Law, 1976.

MOVED BY: HON. TRUMAN M. BODDEN.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE EDUCATION (AMENDMENT) LAW, 1976

REPORT THEREON

HON. TRUMAN M. BODDEN: Mr. President, I have to report that a Bill entitled "The Education (Amendment) Law, 1976" was considered by a committee of the whole House and passed without amendments.

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THIRD READING

CLERK: The Education (Amendment) Law, 1976.

MOVED BY: HON. TRUMAN M. BODDEN.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

THE EVIDENCE LAW, 1976

REPORT THEREON

HON. DAVID K. DARWICK: Mr. President, Sir, I rise to report that a Bill entitled "The Evidence Law, 1976" was today examined by a committee of the whole

HON. DAVID A. HARVEY (CONTINUING): House clause by clause and was passed with certain amendments to it. Firstly, in Clause 7 sub-clause (1) of the Bill, by the insertion immediately following the words "Subject to" at the beginning of the sub-clause of the words "the provisions of the Banks and Trust Companies (Regulations) Law (Revised) and the Confidential Relationships (Preservation) Law and to". Secondly, in Clause 8 of the Bill, by the substitution for the word "on" at the beginning of the clause of the words "Subject to the provisions of the Banks and Trust Companies (Regulations) Law (Revised) and the Confidential Relationships (Preservation) Law on"; thirdly, in Clause 12, by amending the first three lines so that they will in future read "The spouse of a person charged with an offence may not be called as a witness either for the prosecution or defence without the consent of the person charged".

In Clause 20, by amendment on that the penultimate line in future will read "unless they obtain leave of the court to give evidence at a later stage". In Clause 43 of the Bill, Sir, by the deletion of the word "second" in the last line and the consequential amendment to the marginal note, by the entire deletion of the "First Schedule" to the Bill, Sir, and finally, by the deletion of the word "second" from the heading to the "Second Schedule" in the Bill as published.

MR. PRESIDENT: Thank you. The Bill is accordingly set down for a Third Reading.

THIRD READING

CLERK: The Evidence Law, 1978.

MOVED BY: HON. DAVID A. HARVEY.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

THE BIRTHS AND DEATHS REGISTRATION LAW, 1978

REPORT THEREON

HON. V.G. JOHNSON: Mr. President, I have to report, Sir, that a Bill entitled "The Births and Deaths Registration Law, 1978" was examined by a committee of the whole House and passed without amendments. On the back of the Bill where it says "Clerk of the Executive Council" it should read instead "Clerk of the Legislative Assembly".

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THIRD READING

CLERK: The Births and Deaths Registration Law, 1978.

MOVED BY: HON. V.G. JOHNSON.

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING AND PASSED.

ADJOURNMENT

MOVED BY: HON. D.E. FOSTER.

QUESTION PUT: AGREED. AT 12:40 P.M. THE HOUSE ADJOURNED SINE DIE.

THIRD MEETING OF THE (1976) SESSION OF THE LEGISLATIVE ASSEMBLY

WEDNESDAY, 8th SEPTEMBER, 1976

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. U. M. McCOY, M.B.E., B.E.M.	FIRST OFFICIAL MEMBER (TEMPORARY)
HON. DAVID R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, C.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES S. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. HODDER	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALDWIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE K. BODDEN, ORE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CHADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDER OF THE DAY

THIRD MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY

COMMENCING WEDNESDAY, 6th SEPTEMBER, 1978

1. PRAYERS: REV. JOHN R. GRAY, M.B.E., B.Sc.

2. PRESENTATION OF REPORT OF SELECT COMMITTEE SET UP TO LOOK INTO COST, PAYMENT AND OTHER MATTERS TO NEWS MEDIA AND SIMILAR COMPANIES TO BE LAID ON THE TABLE BY THE CHAIRMAN HON. TRUMAN M.BODDEN

STANDING ORDER 72 (6).

3. QUESTIONS; -

MISS ANNIE E.BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE CHIEF SECRETARY

NO.1: How many persons have been granted Caymanian Status from November, 1977 to the 25th August, 1978 and the nationalities of those who have been granted Caymanian Status?

MISS ANNIE E. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR WORKS AND COMMUNICATIONS.

NO.2: Will Government try to renovate the sea wall in front of the Hog Stye Bay area, and paint the wall in the meantime until the Main Road is improved, and before "Pirates Week" festival commences?

NO.3: (a) Are there any definite plans for the demolition of the Oil facilities on Little Cayman in the immediate future?

(b) What amount of Revenue has been collected from this source of earnings from the inception until the 25th August, 1978?

4. OTHER BUSINESS:-

PETITION FOR LEAVE TO INTRODUCE A BILL ENTITLED THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS(INCORPORATION) LAW, 1978.
BY MR. D. DALMAIN RANKS (FIRST ELECTED MEMBER OF THE FIRST ELECTORAL DISTRICT OF WEST BAY).
THE NEW APOSTOLIC CHURCH OF THE CAY.IS.(INCORPORATION)LAW,1978 FIRST READING
STANDING ORDER 62 (2)

5. GOVERNMENT BUSINESS:-

(a) BILLS:-

(i) The Companies (Amendment) Law, 1978 FIRST AND SECOND READINGS
(ii) The Penal Code (Amendment) Law, 1978 FIRST AND SECOND READINGS
(iii) The Fishing Vessels (Safety Provisions) Law FIRST & SECOND READINGS
(iv) The Marine Conservation Law FIRST AND SECOND READINGS
(v) The Endangered Species Protection and Propagation Law 1978 FIRST AND SECOND READINGS.

(b) GOVERNMENT MOTION NO.8 - CARIBBEAN DEVELOPMENT BANK -ACQUISITION OF MORTGAGES - TO BE MOVED BY THE FINANCIAL SECRETARY.

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WEDNESDAY, 6th SEPTEMBER, 1978

10:00 A.M.

MR. PRESIDENT: The Assembly is in Session, I shall ask the Reverend Gray to say prayers.

REVEREND JOHN R. GRAY: Let us pray.

Almighty God, our Heavenly Father, who art concerned about all the needs of mankind, and are concerned about the Government of all peoples, we pray for Thy Blessing upon all who are responsible for the Government of these Islands, Her Majesty the Queen, the Members of the Royal Family, for those who assume responsibility under Her, especially for His Excellency the Governor and all under him. At this time we pray for this Legislative Assembly now in Session, praying that Thou will guide them and Bless them and strengthen them that all decisions they make may truly be to Thy Glory, and to the good of all the people, in Jesus name we ask it, Amen.

MR. PRESIDENT: Please be seated.

I'm informed that the Honourable First Elected Member is having trouble with his boat this morning, he will be five or ten minutes delayed. So, if there is no objection I would put Item 2 on the Order of the Day below question time, and we can start with "Questions".

QUESTIONS

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE CHIEF SECRETARY.

How many persons have been granted Caymanian Status from November 1976 to 25th August, 1978 and the nationalities of those who have been granted Caymanian Status?

ANSWER:

A total of twenty-five persons were granted Caymanian Status between November 1976 and 25th August, 1978.

Status was granted to:-

(a) Thirteen (13) persons of American nationality.
(b) Nine (9) persons of British nationality.
(c) Two (2) Zimbabwe.
(d) One (1) Canadian.

HON. E.M. MCCOY: If I may add, Mr. President, that included with this would be relatives of those granted status, and this amounted to a total of twenty-six persons - (Miss Annie H. Bodden - plus) - twenty-five plus twenty-six.

SUPPLEMENTARY:

MISS ANNIE H. BODDEN: Mr. President, if I may be permitted to ask, what does "plus" mean? Is it one, one hundred or how many?

HON. E.M. MCCOY: What was explained, Mr. President, was twenty-five persons were granted status and in addition to the twenty-five there were twenty-six members of families of those persons making a total of fifty-one persons.

MISS ANNIE H. BODDEN: Mr. President, I did not attached the twenty-six. that's why I had to ask the question.

MR. PRESIDENT: If there are no further supplementaries we can proceed to the next question.

MISS ANNIE E. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.

Will Government try to renovate the sea wall in front of the Hog Sty Bay area, and paint the wall in the meantime until the Main Road is improved, and before "Pirates Week" festival commences?

ANSWER:

The Government will where practicable renovate and cement work the sea wall at Hog Stye Bay, before Pirates Week festival commences. The Government wishes to thank the Member for bringing this matter to its attention.

SUPPLEMENTARIES:

MR. CHADDOCK EBANKS: Mr. President, if I may ask a supplementary, could the Member say when are they thinking probably of renovating the water front area there?

HON. C.L. KIRKCONNELL: Mr. President, proposals for modification to the sea wall has been put in the 1970 Estimates; this of course will be subject to the Finance Committee approving this expenditure.

MR. CHADDOCK EBANKS: A further supplementary, Mr. President. Could the Member say at this time if it is planned to reduce the width of the side walk, I suppose I would say, of that side to widen the road or move the sea wall back further to the sea?

HON. C.L. KIRKCONNELL: Mr. President, while I have not seen the plan on paper we do intend or it is the intention of the Public Works Department to build another sea-wall to the north or to the west - north and west of the present sea-wall. We will then knock down the old sea-wall and widen the road in from of the English Shoppe. I think this is what the Member is getting at.

MR. PRESIDENT: If there are no further supplementaries the Lady Member may proceed with her third question.

MISS ANNIE E. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER

(a) Are there any definite plans for the installation of the Oil facilities on Little Cayman in the immediate future?

ANSWER:

Yes.

HON. W.M. MOODY: Mr. President, this question would be more appropriately replied to by the First Official Member in view of the fact that he is Chairman of a co-ordinating committee which is monitoring all aspects of the development in the Oil Terminal project.

(b) What amount of revenue has been collected from this source of earnings from the inception until 25th August, 1970?

ANSWER:

Revenue collected from the ship-to-ship transfer operations up to 25th August, 1970 is CI$238,488.98.

SUPPLEMENTARY:

MR. CRADDOCK EBANKS: Mr. President, I wonder if the Member could say at this time when it is anticipated the starting date or what might be the starting date on this project?

HON. V.H. MONEY: The projected starting time is, towards the end of this year. We haven't got a positive commencement date, but it is before the end of this year.

MR. PRESIDENT: If there are no further supplementaries we'll conclude question time for the day. As the Honourable First Elected Member is still not present, we can proceed with Item 4 on the Order of the Day.

PETITION FOR LEAVE TO INTRODUCE BILL - THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS INCORPORATION LAW

MR. BALMAIN S. EBANKS: Mr. President, this is a petition I'm applying at this stage. For leave to introduce the Bill I will read the Petition.

Unto the Honourable Members of the Legislative Assembly of the Cayman Islands

THE HUMBLE PETITION of the New Apostolic Church of the Cayman Islands by their duly authorised agent

RESPECTFULLY SHEWETH -

That your Petitioners have caused the Bill of which a copy is hereunto annexed to be prepared for giving effect to the purpose set forth in the preamble of such Bill.

WHEREOF YOUR PETITIONERS PRAY THAT YOUR HONOURABLE ASSEMBLY WILL GRANT LEAVE TO BRING IN THE SAID BILL.

AND YOUR PETITIONERS, AS IN DUTY BOUND, WILL EVER PRAY, ETC.

Mr. President, I have complied with the Standing Order 81(1) in relation to the publication in the Gazette and the three successive publications in the news-papers. Very briefly, Mr. President, this is I think the fourth Law of this nature which has been brought to this House. It is merely to incorporate the Church here that holds substantially the real estate property, and to really tidy up and put in order the Church property in these Islands.

MR. PRESIDENT: The provisions of Standing Order 81(1) having been complied with - the petition having been presented, it remains for me to put the question that the petitioners be permitted to proceed with the Bill.

QUESTION PUT: AGREED.

FIRST READING

CLERK: The New Apostolic Church of the Cayman Islands Incorporation Law, 1978.

MR. PRESIDENT: The procedure for a Private Bill is normally that it is postponed until a further meeting of the House - but on previous occasions when a non-controversial Private Bill has been moved, we have suspended Standing Order 82 (2) and taken the Bill through the House in the normal way, that will allow us to proceed with this Bill at the present meeting.

If there is no objection to that, the Bill is deemed to have been read the First Time and is set down for a Second Reading.

In the continuing absence of the First Elected Member we can proceed to Government Business, "Bills".

THE COMPANIES (AMENDMENT) LAW, 1978

FIRST READING

CLERK: The Companies (Amendment) Law, 1978.

MR. PRESIDENT: The Companies (Amendment) Law, 1978 is deemed to have been read the First Time and is set down for Second Reading.

SECOND READING

CLERK: The Companies (Amendment) Law, 1978.

HON. V.G. JOHNSON: Mr. President, I beg to move, Sir, the Second Reading of a Bill entitled "The Companies (Amendment) Law, 1978".

Mr. President, this is an amendment being proposed to the Companies Law, and the main reason for the amendment is, one, to extend the period in which a Company which is struck from the register in the Office of the Registrar of Companies, and which can be reinstated by the Court is given a period in excess of six months to reinstate the Company, and the period which is suggested here is a period of two years.

It is said that in the United Kingdom the period is twenty-years. Of course, the operation of a Company registered in the Cayman Islands is altogether different from that operated in the United Kingdom or else where. The Cayman Islands is operating a tax haven and financial industry, and because of that there is need for greater discipline in administering the affairs of companies registered in the Cayman Islands. The Registrar of Companies, as it is at present, finds himself with quite a lot of administrative work trying to get behind companies that are in arrears of fees, and this goes on from year to year, and when the company has committed a breach of the law then it is struck from the register.

I think the six months at present is perhaps a good point as far as maintaining that sort of office discipline. However, the financial community raised some questions about the short period for reinstating of these companies, and the matter is now before you for an adjustment of the period from six months to two years. Personally, I see no objection to it.

The second amendment is that in Section 178, to replace the word "Treasurer" by the words "Financial Secretary". It's just the substitution of a word to take the later designation of that position. And another amendment to Section 178, is proposing that the word "Legislature" be substituted by the words "Governor in Council". Under the present Law - or the present practice is, that when a company which has been struck from the records and has found itself with assets those assets are vested in the Government and subject to disposition by the Legislature. And so in order to decide on the distribution or otherwise of those assets, the matter must be presented before the Legislative Assembly. The Law is now recommending that this be done by Executive Council, and there is a reason for this, because having to wait on a meeting of the Legislative Assembly to deal with these administration matters causes much inconvenience to companies and the applicants, and it is thought that there should be a much simpler manner of dealing with this particular matter.

The other amendment to the Law is in respect of Section 181 which is recommending that the words "in the case of a Company limited by shares" precede that particular sub-section, and the words "the amount".

Mr. President, the proposal for the amendment as presented here is something which I think will improve the administration of the Companies Law especially with companies struck from the register, and I would recommend that you give it your support. Thank you.

MR. PRESIDENT: The question is, that a Bill entitled "The Companies (Amendment) Law, 1978" be read the Second Time. The motion is open for debate.

QUESTION PUT: AGREED. THE BILL WAS GIVEN A SECOND READING.

THE PENAL CODE (AMENDMENT) LAW, 1976

FIRST READING

CLERK: The Penal Code (Amendment) Law, 1976.

MR. PRESIDENT: A Bill entitled "The Penal Code (Amendment) Law, 1976" is deemed to have been read a First Time and is set down for Second Reading.

SECOND READING

CLERK: The Penal Code (Amendment) Law, 1976.

HON. DAVID P. BARWICK: Mr. President, Sir, I move the Second Reading of a Bill entitled "The Penal Code (Amendment) Law, 1976".

The Bill, Sir, seeks to amend the provisions of our Penal Code relating to offences connected with that kind of sorcery known as obeah or myalism. As long ago as 1828 a Law having effect on these Islands was enacted to deal with that evil. When in 1975 the present Penal Code was enacted collecting in one Law the majority of the Laws creating and defining offences punishable in the Cayman Islands, the previous Law relating to Obeah was consolidated and was included in the New Penal Code in Sections 148 and 149. In making that consolidation, however, two provisions of the previous Law were not continued, those related to the power to search for the instruments of sorcery themselves and a specific presumption which arose when those instruments were found in the persons' possession. The presumption was a prima facie one capable of being rebutted by evidence to the contrary.

Unfortunately, Mr. President, Sir, from time to time on these Islands offences of the type in question still occur causing both misery and distress. In dealing with those offences the Police would be greatly assisted if the powers of search and the presumption which arises from possession were to be restored to the Law. The Government has accepted, Sir, that that restoration is both necessary and desirable and this short Bill has been prepared for that purpose. With those few words of explanation, Sir, I beg to move that the Bill entitled "The Penal Code (Amendment) Law, 1976" be now read a Second Time.

QUESTION PROPOSED: DARWIN NORMAN.

MISS LENA M. NORMAN: Mr. President, I must agree that this is necessary. I was not aware of the fact that the question of Obeah is still continuing, and that Obeah is being practised. I know that there must have been such a cause when the first Law was enacted. I have had occasions to defend people who were charged with the practice of Obeah, I had a very startling case in the old Court House. A man was charged, first, with the possession of unlicenced arms and then practising Obeah, and he really did have the articles that would, I suppose, enhance the practice. He had a lot of things imported from U. Tannous Company in the United States which included records, incense, candles; a part of his paraphernalia were a list of books, the seven books of Moses or the five, something, and he was really in the practice or at least he thought so. He had inherited all of this paraphernalia, most of it from his father. Well, I stood for him and he was charged a fee of twenty-five dollars. His more unfortunate colleagues who did not have the proper facilities, if there is such a thing, they had chalk wrapped up in Bible leaves, cents, screw-drivers and such articles, and unfortunately they had to pay their lawyer four hundred pounds in those days, went to prison and they did not do any harm to the people they were supposed to obeah.

I am saying, Sir, that this practice should be discontinued. While I am very fascinated, I must tell you, Sir, by hand reading and so on, and I do believe that if people can get something injected into you they can poison you or they can work things that will harm you, but I feel that it should be discouraged in a civilized country. And I am very much in favour of this Law being amended whereby prosecution can be accomplished. I have also been in the Court House, and I heard a man from

HON. ANNIE K. ROBERTS (CONTINUING): Honduras, he was, who had rooster heads cut off and the blood to sprinkle on people to absolve them, that was all exhibited in the Court House. Now, I feel that is very unChristianlike and we must discourage it, and the thing to do is to search the places, those people who are inclined to practice this obeah that they be discouraged and brought to justice because we do not want that. Thank you, Sir.

MRS. ESTHER L. EBANKS: Mr. President, I too support the Bill before the House - or the Penal Code. It is shocking when you talk to certain people, even some of my supporters in West Bay who believe in obeah, believe that things can be done and certain ones even pay a lot of money. So, I feel that it is time that this be discouraged because people are wasting money on things that really cannot be done, and they are believing in it, and I am happy to see that this will give the Police more powers and will help to destroy instruments or whatever these people have that are hurting people believe that they can do things, hurting them waste their money and what not. I support the Bill, Sir.

MR. DALMAIN D. EBANKS: Mr. President, I too want to support it. Where I don't believe in it, Sir, I know it has been practised and a lot of people here that believe in it have been trying it, because I know it has been tried on me - (laughter) - and I can't see where it worked yet, that was back in the 70's - well, I'm still here, still Dalmain Ebanks, so I'll give this all the support I can too, Sir.

MR. CHADDOCK EBANKS: Mr. President, what seems to me to be a deterrent to most of our problems the penalties are too lenient, and that's why a lot of these things continue to exist and go on. If we are going to try to eradicate such as this, then the punishment ought to be extremely high, because if you get people to walk around and make a fool of people in the matter of five minutes and collect a hundred and two or three hundred dollars, then to me, as far as I'm concerned I don't have any sympathy with the judge to place a thousand dollars on somebody that foolishly fools somebody in the matter of a few minutes and collect two or three hundred dollars.

So, while I give my support to this I think the measures should be taken, not just writing it to the Penal Code, but drastic steps should be taken to those that are found exercising such as this, and dealt out to brought to a very extreme punishment that they will realize - or at least they should, not to attempt to continue to carry on such business. So, I give my support to this .....

MR. PRESIDENT: Does any other Member wish to speak to the question? If not, I ask the Honourable mover if he wishes to reply.

HON. DAVID H. BARNICK: Just to thank the Honourable Members who have indicated their support for the measure, Sir, to say that I listened to what was said with interest and that I'll also make representations in the proper quarter with respect to the views expressed by the last Honourable Member who spoke.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE FISHING VESSELS (SAFETY PROVISIONS) LAW

FIRST READING

CLERK: The Fishing Vessels (Safety Provisions) Law.

MR. PRESIDENT: The Bill is deemed to have been read the First Time and is set down for a Second Reading.

SECOND READING

CLERK: The Fishing Vessels (Safety Provisions) Law.

HON. G. MAIO DODDEN: Mr. President, I move the Second Reading of a Bill entitled "The Fishing Vessels (Safety Provisions) Law".

Mr. President, this Bill will allow our Government to adopt an International Convention which makes provisions for the safety of fishing vessels. Some time ago the United Kingdom signed this Convention and they have recommended that we adopt it. There are in existence Conventions regarding shipping, two of them in particular have proven to be of great value. There is at the present the International Convention for the Safety of Life at Sea and the International Convention on Load Lines. These conventions have been beneficial for the protection of those who go to sea, but these conventions do not apply to fishing vessels and hence it was required that a standard of safety be set up for fishing vessels and hence the convention and the Bill we're dealing with today.

The Cayman Islands have a special interest in the matter before the House, in that we have a tradition of shipping in our veins from the days of the first settlement of these Islands. But that tradition however even more important today as we are about to embark upon a programme for the registration of ships, including ships that would never come near the Cayman Islands, and the United Kingdom Government would want to know that if we do not as a full ships' registry have that we would have a registry of which we could be proud and which would comply with all things necessary to make sure that the life of seamen would not be endangered at sea. This Convention will apply only to new vessels built after the adoption of the convention, it will apply only to those fishing vessels which are in excess of twenty-four metres or seventy-eight point eight feet in length.

Members will remember that at an Informal meeting with them I mentioned that this law would be coming up and if they so desired they could read the Convention in its entirety. The Convention is a document of one hundred and ninety-nine pages of very fine print. I told them that this document would be sent down to the legislative Assembly Library and they would be free to read it, and it was sent down more than a month ago. I don't know how many Members took advantage of engaging in this very pleasant exercise of reading two hundred pages of the convention which is couched in legal jargon which could only help to make yourself very restful. But whether Members read the Convention or not the document is still available, and perhaps with your interest in shipping you may want to scrutinize it at a later date.

The Convention is all about providing for safety at sea. It does not apply to fishing vessels which will be less than twenty-four metres in length, it will not apply to fishing vessels so far as construction is concerned to those vessels already in operation, it will simply apply to new fishing vessels built after the coming into effect of the Convention and to those vessels which exceed twenty-four metres in length. It will not apply to vessels used solely for the processing of fish or other living matters from the sea, but would apply to fishing vessels that do their own processing. It will not apply to vessels used for research or training, and it will not apply to vessels used solely as the carriers of fish if they are not engaged in the act of fishing. Further to that, the Government of the country in which the ship is registered will be able to exempt certain vessels if the Government feels such an exemption would be necessary.

Now, what is contained in these two hundred pages? They contain regulations for ensuring that the ships are properly built, that they are properly maintained, that there is adequate fire fighting equipment aboard, that there is adequate life-saving equipment aboard, that provisions are made to stop excessive flooding, that proper alarm systems are installed, that there is proper accommodation for the crew and that there is proper provision for the storage of gas cylinders and other dangerous materials, and there are a hundred and one other provisions. But as most of our men here have been to sea at one time or another, and as most of the ladies here only talk of going to sea, it is not necessary for me to enumerate each particular in the convention. Suffice it to say, that what is contained in it are just provisions that will guarantee that every act of living on a ship and working it upon the high would be so carried out as to provide for the safety of, not only the people who go to sea but to

HON. G. HAIG BODDEN (CONTINUING): provide for the proper maintenance of the vessel.

So, the Bill while short in words contains only two clauses, one to say that it is a Law and the other one to say that we adopt this International Convention for the Safety of Fishing Vessels. With that, Mr. President, I would ask the Members to treat with favour the Bill that is before the House.

MR. PRESIDENT: The question is, that a Bill entitled "The Fishing Vessels (Safety Provisions) Law, 1974" be read the Second Time.

QUESTION PROPOUNDED: MAJORITY ENSUED.

MR. BENSTON J. SMITH: Mr. President, undoubtedly the Bill before us I think is a very good one, but, Mr. President, I feel at this time that the Members of this Legislative Assembly should know what the provisions of this convention are, and should ask for a copy to be placed before them for study if possible before the passing of this Bill.

Mr. President, it may be so sophisticated that even our own Cayman fishing vessels, such as Glennon's might be put completely out of business. Mr. President, I think we've got to be very careful in passing this Bill, and again I say, I think we need more time that we can study this before putting it into Law. I thank you very much, Sir.

HON. C.L. KIRKCONNELL: Mr. President, I rise to support this Bill, Sir, and I think in joining this Convention will assist Government in their ultimate aim to get the United Kingdom to allow the Cayman Islands to become signatories to the International Convention for Safety of Life at Sea, and also become a signatory to the International Load Line Certificate. These two conventions, Sir, when the Cayman Islands have been recognized as a signatory to these two conventions we will then be able to register foreign tonnage which could be one of our greatest means of providing revenue for this country more than we have ever seen before, so I think this would be a source - this is what we have been striving for, and I feel if we can get them to allow the Cayman Islands to become signatory to the two conventions it will provide the country with additional revenue that we dearly and sorely need

I think the Member made it clear that all Cayman fishing vessels that now exist, this convention will have no affect whatsoever on the - whatever ships or fishing vessels that are in the Cayman Islands registered now, this convention will not apply, this will apply to all new construction, all new fishing vessels brought into the service. Thank you, Sir.

MR. DALMAIN H. SHANKS: Mr. President, I want to support this Bill, but the only thing that bothers me a bit is where it says, "it's only the new vessels" since this convention will be signed. What happens to the old ones that still will be sailing? It's danger there, I mean I've been on ships that I really shouldn't have sailed on - look at them, and these things are still carried on. I think there should be some provision made there where those ships should be scrapped or otherwise rebuilt over with this new equipment or something like that, and also give safety to our seamen. Thank you, Sir.

MISS ANNIE H. BODDEN: Mr. President, although I am not a seaman, and unfortunately I have no one to go to sea, I think that this Government has been very lax in the past in allowing these boats to ply up and down without safety measures. Not too long ago we had an incident in the Lesser Islands whereby two men lost their lives. In olden days - in the Columbus days the ships had to be classed by the Marine Board in London, they had to have proper life-boats, life-rings, all kinds of equipment had to be placed on the life-boats to take care of casualties at sea.

Now I feel, Sir, that ships, regardless of how small they should be, should have some specification to go by whereby men lives may be safely as much as possible. I feel, Sir, that anything that we can do to protect lives we must do it, and I feel certain that the Honourable Members of Executive Council, who I am sure have read some of

MISS ANNIE E. BODDEN (CONTINUING): this report, have digested it properly and cannot lead us astray in this. I support this Motion that I feel we should do everything possible to protect lives. When money is concerned, yes, if you can make some money off of it, well and good, but our first thought should be for the safety of the seamen. Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, as we move into an age where the value of lives is becoming more and more important, in fact it is of the ultimate importance, than I believe that the conventions which the Honourable Mover referred to - the 1966 and the Load Line conventions, together with the other safety conventions should be adopted by this country. It will pave the way and ease the probable allowance of the alterations which we will be requesting of the Merchant Shipping Act of the United Kingdom, and it is one which I feel perhaps could have been adopted some time ago. I should point out however, that as you undoubtedly know, there are safety commutations relating to different classes of vessels, and for a long time fishing vessels and vessels under, I think, fifteen tons have been excluded from them, but it had been enforced very rigidly against naturally passenger vessels.

The Convention is merely bringing a lot of these provisions down to vessels of a different class - the fishing vessels as well as those which are below the normal tonnage of the passenger vessels and the cargo vessels. However, in the past decade there have continued to be losses at sea especially, Mr. President, in the northern and southern extremities of the oceans of the Atlantic and the Pacific oceans, and I believe that it is time that this law be - or that these areas be tightened and this convention, if adopted in whole or in part should go along way towards making safety in relation to fishing vessels and the smaller vessels a reality and one which can only save lives. And I support it as well as - Mr. President, I will in due course support the 1966 and the Load Line Conventions if and when they are brought to this House. Thank you.

MR. PRESIDENT: Are there any other speakers to the motion? I shall ask the honourable mover of the motion to exercise his right to reply.

HON. T. RAIG BODDEN: Yes, Mr. President. The reason why a copy of the Convention was not sent to each Member was because we only had one copy, and it is a document of two hundred pages and it would be very expensive, at least twenty dollars per copy to photo-copy it. However, there is no objection to a Member having a copy. This document was sent to the Legislative Assembly, and I see the stamp here on it, it was received on the 25th of July and Members had been told prior to that date at an informal meeting that this procedure would be adopted. However, if the House feels that it needs time to study the Convention the Bill could be sent to a Select Committee and the time set giving us time to send out copies.

However, as far as the Convention is concerned, we cannot add to nor detract from it. We are not in the position to change one word in the Convention, we can either adopt it or reject it, but we cannot change it, so, I don't think too much would be gained by a study of it. I personally read every word in it, but it took me a long time, I am a very slow reader, but if a Member attempts to read this until he digests every word of it, it would be an exercise of a full year. However, Members need not be afraid that this can in any way apply to a vessel already in existence.

If I can quote from page 17 regulation 3 - Application it says, "Unless it expressly provided otherwise the provisions of this annex shall apply to new fishing vessels of twenty-four metres in length", and "a new vessel" is defined in regulation 2 as "a fishing vessel for which on or after the date of entry into force of the Convention the building or major conversion contract has been placed before the date of entry into force of the convention", and (c) "In the absence of that, the date on which the keel is laid". So, this only applies to new vessels and new vessels are vessels that are built after the coming into force of the convention. And furthermore, in article 2, it says, "The Convention shall remain open for signature at the headquarters of the organization from the 1st of October, 1977 until the 30th June, 1978 and shall thereafter remain

HON. C. RAE HUDSON (CONTINUED): open for a season". And we would now be acceding to it, and it could not apply to us until after we had acceded to it. So, if there are some fishing boats already in operation this convention does not apply, and if new boats are built the convention still does not apply unless the boat is over twenty-four metres, which is seventy-eight point eight feet.

So, for the type of boat mentioned by the Member, I think he need not have any fear because it is excluded - I don't know the length, it may not be over seventy-eight feet, but since he has referred to it I can assume that it is a boat already in existence. I would prefer when the time comes that we proceed with this Bill at this sitting, however, it's entirely up to the House to say when the time comes whether we proceed with it or not. I do not see the delaying of it really serving much purpose, since, if it is the intention of the House to finally adopt it the adoption now would not interfere with a boat already in operation.

MR. PRESIDENT: The question is that a Bill entitled "The Fishing Vessels (Safety Provisions) Law, 1974" be read the Second Time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE MARINE CONSERVATION LAW
FIRST READING

CLERK: The Marine Conservation Law.

MR. PRESIDENT: A Bill entitled "The Marine Conservation Law" be deemed to have been read the First Time and be set down for a Second Reading.

SECOND READING

CLERK: The Marine Conservation Law.

HON. C. RAE HUDSON: Mr. President, I beg to move the Second Reading of a Bill entitled "The Marine Conservation Law".

For many years there has been a call for a law to help preserve some of our marine resources. The Bill before the House is intended to cover this. The matter of what we should have depends mostly upon the people affected by it. For example, if one were to ask a snake what the world should be, he would say, it should be all swamp, and if a camel were asked he would say, it should be all desert. But I am one that believes that the biblical injunction should be observed and that the mean should be for man. An attempt has been made to make it appear that this law is brought forward just to satisfy the whims and fancies of those cock-eyed people which I like to refer to as conservationists. No such thing is intended in this Bill. The Bill is intended to allow certain of our natural resources to be used in a [illegible] manner so that their existence in our waters will continue. It is not intended to stop the public from making use of what little resources we have, but rather, it is intended to bring in some measure of control so that the resources which we have can be used in a manner that will foster economic growth rather than curtail it.

With these few observations I will endeavour to relate the - what I call the major features of the Bill, or it relates to certain animals or creatures found in the sea. For many years we have had on the books a similar law which made it an offence to take more than three lobsters per day from the waters and which also provided a closed season when no lobsters could be taken. The closed season, February to July is still maintained in this new Bill. During those months it will be an offence to take any lobsters; the number of lobsters that can be taken in one day is increased from three per person to five. We have come under severe criticisms for increasing this limit, but this increase has been tempered by a section that was absent from the former law, in that no boat can take

HON. G. REID HOUGH (CONTINUING): more than ten lobsters per day regardless of the number of people in it. In the old Law a person could take three per day, but if there were twenty-five people in the boat that boat could take seventy-five lobsters, and this was happening particularly where the boats were engaged in sight-seeing tours. So, that while the limit has been changed from three to five per person per day, there is a further limitation of ten per boat, so that ten is the maximum that can be taken in one day.

The old Law contained a section that said, "you could not take an egg-bearing lobster". This was considered by the Members of the House when they looked at the draft of this Bill and it was decided that that section would be removed, because the section was neither practical to enforce and could not make any sense to the enforcement officers or the offenders. We believe that a lobster in the water will not stand still to be photographed or to be examined clinically to decide whether it is bearing eggs or not. A lobster with eggs is like a woman pregnant with child, it is impossible for the unlearned to tell particularly in the first month whether the woman is pregnant or not. It is impossible for the fisherman catching lobsters to tell whether the lobster is an egg-bearing lobster or not. It may be true that when the eggs of the lobster being pregnant with eggs has reached almost maturity that a layman could tell, so the section in the old Law did not make sense. In fact, it remained on the books for more than fourteen years and there was not a single conviction according to my knowledge, and we have decided to take this out. We have been criticised for it, in fact, one writer went so far as to say that we have accepted the fact that the lobster is on its way out, but that is not so, the very fact that we have maintained lobsters shows that this responsible legislature is aware that the lobster is not on the way out and can be protected if sensible measures are imposed by sensible people.

What is new in this Law is some control on the catching of conchs. Although the concept itself is not new, and I understand many years ago one of the old legislators introduced a motion to control the catching of conchs, but that motion was defeated. In this Bill it will be an offence for a person to take more than ten broad leaf conchs in one day, and there is also a further limitation of twenty conchs per boat in one day. There is a further restriction that conchs below a certain length - the small conchs, cannot be taken at all, that same restriction applies to lobsters. The Bill further puts a limitation and makes it an offence for a person to receive or purchase more than twenty conchs in any one day, so this would prevent a poor from purchasing conchs from many different sources and so being able to amass a large number in one day defeating the purpose of the Bill. This is a novel section and may be difficult to enforce, but if it can be enforced it should provide adequate safeguards.

The Bill makes provision for setting up a board, and I think the selection of these members will be the key to the whole operation. Because if it is filled with hook-eyed people that would like to stop all economic growth and life on the earth for all but the lobsters we might have trouble. On the other hand, if it is filled with people that are not too much concerned with the environment the whole purpose of the Law would come into uselessness. The selection of the board will have to be taken with care, because the board will have wide powers under this Law. The board will be able to look into certain areas and make recommendations as to their being closed for fishing at certain periods, it would also be able to allow people to take more than the stipulated catch in one day if the circumstances were right. What I mean by this is, that although the law says, "one person could not take more than ten conchs in one day", if the conch population had risen and the board felt that it would be safe to take more than ten conchs, this could be allowed; so the board will have pretty wide powers under this Law.

There is an absolute ban on the taking of any animal, creature or thing from the waters if the person is using artificial breathing apparatus. This would mean that a scuba diver equipped with a tank could not take any fish, conchs, lobster, coral, while so equipped. We know that this has been a very sore point, we find that people come here under the guise of underwater photography and they go away loaded with hundred of pounds of valuable articles from the sea, and this would now make this an offence. It will also put a ban on the use of spear guns for

HON. G. HAIG BODDEN (CONTINUING): ...purposes, and it would be an offence to take any fish or lobster with a spear-gun unless it was used for personal consumption. I have to make a correction - they would not be able to take lobsters by spear-guns at all - but it would be an offence to take fish unless it was used for personal consumption, and the limit of the fish that could be taken with a spear-gun in one day would be six. However, here again the Board has power to give authority to permit otherwise.

This Bill also prevents the use of noxious substances for the catching of fish. We have experienced that people have come here and thrown chemicals in the water which have stunned the fish temporarily, and then take the fish away and revive them. This would ban the use of noxious substances for the taking of anything from the water. It would also ban the use of seines or gill nets, unless the fish was used for human consumption. We had a case sometime ago where people came with fancy gill nets, scooped up a lot of small fishes to take away; this would now be an offence, and a seine or net could only be used if the fish was either for consumption or to be used as fish bait. The Bill prohibits the taking of coral, sponge, algae, turtle eggs, hermit crabs, except by special licence from the Board. This will mean that if somebody is engaged in the business of jewellery from black coral, that person would still be able to continue with a licence from the Board but it would make an offence for anybody who did not have a licence to take coral from it. This will ban the taking of the hermit crabs, whether this is a marine creature or not is subject to controversy.

The hermit crab better known here as the soldier crab has been having a very tough time in one of the other Islands, where I understand they have been shipped away and are used as pets in the United States. This will forbid the catching of soldier crabs unless the soldier crab is to be used either for human consumption or as fish bait. So, if anybody wants to continue to enjoy their gourmet delight of the delicacy of a soldier crab they will still be able to do this under the Law, and if a fisherman wants a soldier crab for bait he will still be able to take it, but for other purposes you would need a licence to ship out soldier crabs.

Mr. President, I think I've covered the main areas of the Bill and I would like to say, that being a novel piece of legislation with the exception of the bit regarding the lobsters and the spear-gun, we will have to be prepared to watch the administration and the effectiveness of the Law; and we will have to be prepared that in the future, should any anomalies arise the Legislature will be bound to correct them. If we find that there is so much laxity or if we find that the Bill in its application in any area we may have to come back here later and amend it.

I want to close with saying, despite the memorandum in the Bill, do not believe that any extremist factions in our society has gained or has won a major round in the battle. This Law is simply intended for the good of every citizen, every person in the Islands whether he may have an ecological or conservationist leaning. I would ask the Members to read the Bill favourably and to speed up its passage.

QUESTION PROPOSED: DEBATE INVITED.

CAPT. KEITH S. TIBBETTS: Mr. President, this Marine Conservation Law is almost a must in the Cayman Islands if we want to keep up our heritage and the things that are common to the Cayman Islands. Nevertheless, I have taken this matter to the public in my constituency and there are few things that are not satisfactory on for on the public to comment. They have agreed that the control of lobsters is quite satisfactory but they are not satisfied with the control of conchs.

There are a few fishermen in my island that get conchs, not only for home consumption but for a special dish at the hotels. It was suggested that these fishermen be allowed to carry on to get their conchs, but they thought that it may be better to control the amount of conch meat that will be offered at the hotels, where, may be at the present time the hotels could offer conch chowder every night or some such thing, but it could be carried to where the hotels could only offer conch chowder once a week. So, that part has to be gone into very carefully, so we all

CAPT. KEITH P. TIBBETTS (CONTINUING): realize that it is not all of our tourists that come here so visitors stay more than a week where they would put a limit of one of our national dishes. Nevertheless, I am offering that as a suggestion that was brought to me from my people.

We have full support in the control of spear-guns as mentioned by the honourable Member, that no fish or lobster can be taken with spear-guns other than for human consumption. There are very few people in Cayman Brac anymore using spear-guns, because the people there real got against them and discouraged them so with it that there is just a few. Some of them that work out will go after work in the afternoon, may be take their spear-gun and go out and get a mess of fish, but it is not being got just for commercial purposes, to sell or some such thing.

Then again, the control of soldier crabs - or hermit crabs, as the case may be. I have mentioned this repeatedly - I have seen advertisements from the United States papers where they sell them over there, in fact it was brought to my attention on Sunday that last week in Florida soldier crabs was being offered for fourteen dollars a piece for pets. Now, I mean, I could have had the clippings from the papers to bring here today, but I must be honest, I forgot yesterday to pick it up when I was coming over here - and that's fourteen dollars for one soldier crab, approximately one inch in diameter. I know we have shipped thousands and thousands and thousands of soldier crabs in Cayman Brac, I could not agree with this when it was being done and I tried to discourage it, and I am here to support this law to stop it without a license. However, when it first started in Cayman Brac those years ago they said it was for cancer research. Now, once it was for cancer research everybody was willing to go along and spare as many soldier crabs as possible, but it was soon proven that that was all of a fictitious story and they were being used as pets in the United States. In fact only in June of this year I was in a big Department Store in Miami and saw soldier crabs being offered there for pets.

It is one item here in my mind that has not been brought into this law that we really need to get down into fine print with, and that's groupers that school here in the early part of the year. It is not mentioned anywhere, and I know that there is research being done in the grouper fishing through the University of Puerto Rico, and this question arose in the meetings I had last week, what was going to be done about the grouper fishing? For the past several years it has been a bonanza income on Cayman Brac when the groupers are being caught by the thousand of pounds and sold at a reasonable price. In fact last year - this year in January there was over nineteen thousand dollars paid out for groupers. Now, as far as the feelings of the people of Cayman Brac is concerned, they feel if the groupers are going to be caught with hand lines they can carry on and go on because you will never ever kill them out caught by hand lines. But they are against people getting them with spear-guns or getting them with traps - fish traps or fish pots, whatever you may call them, and I assured them that I would bring this up here in this meeting today, because they all want the answer to what we're going to do about the control of groupers.

The people of the marine biologists from the University of Puerto Rico, they have done a research here this January and they're supposed to come back this month - November now, and they don't believe that the groupers we are catching are those that really belong to the Island, they think that they are migratory, going back and forth. And if that is the case, it may not be any hurt to our ecology, but nevertheless, that needs to be proven, until that time we don't know. So, with those points I am prepared to support this Bill, and unanimous at my meetings felt that we must have a Marine Conservation Law that would be made applicable to our visitors, not allowing them to take away black coral, not allowing them to take away our small fish for pets, not allowing them to take away this vast amount of conchs and fish. I know that we have a small plane that comes from Jamaica to Cayman Brac periodically, I'd say, probably once or twice a month. They don't spend any money there, they go to Little Cayman and they go diving and they destroy the coral by the hundreds and the fish - hundreds of pounds of fish, and as soon as they get their plane loaded they take off and go back to Jamaica. They haven't spent a cent in Cayman Brac or Little Cayman. And these are the kind of things that this Law can stop, and I feel sure that you will get many support to carry it through. Thank you.

MR. CHALLOCK KNOWLS: Mr. President, I am not going to say very much on this Bill at this time, I am going to have quite a bit to say on debate or to argue on when we go to the Committee stage. There is an old proverb which says, "It's never too late to do good", but that's not quite true, because even the Bible says that - or the Lord said, "sometimes you will call and I won't answer". And it has been many long over-due for this Bill, the only way that I could think that we could bring back some of what we had a few years ago, if the door was closed for fifty years on conchs, lobsters and all such as that. But I am prepared, Mr. President, to give my support to this, and it needs to be gone into thoroughly.

I know much has been said about visitors coming to our country. Along how many times we have heard them for to low many people visiting our Island, and that's why we are suffering with some of these things today. It's the natives that live here anyway - most of what is spelled out into this Bill one when used to be our daily food. I know when I probably ate conchs two or three time a week, I might have been a bit cautious for it sometime but now I'm nearly in between that I don't know the taste sometime when I do get a piece. When the people of North Side, to get to George Town we had to travel the rough way by coming through the sound, and in low water season, days or nights I have known travelling along the beach area going through the little nooks of channels in the here we'd call it - low tide, you would have to chase it with conchs to get your boat through, just take them and pile them on the side to get through. And now, according to the few fishermen you will nearly go mile after mile, mile after mile before you'll find one.

There has been many proposed changes from the old Law to this one as to the amounts that might be taken. Mr. President, I don't know how we'd ever cope with that, which I admit we will try, but there will be people that will abuse the amount whether it is five, nine, seven or what. It says, a vessel can take up to ten, well, I don't know what they will term a vessel, but an individual can take five or nine or what the case may be and a vessel ten. Then if John Brown went out in what is termed a vessel and takes ten as an individual, you won't do anything with him because he is in a vessel and the vessel is privileged to him. It did not say the vessel had to have two, three, ten people, fifteen people or what, so these things will have to be gone into very carefully. I don't know how we will readjust them or re-word them or - we've got the suing, nets as referred to. These things ought to be built on a gauge system of an inch, inch and a half or two inch mesh we term it so that the small fishes, conchs or anything .. can slip through and not be caught into a net, but if a net is built with half inch or three quarter inch mesh, then it just wipe up everything, and that's where a lot of the destruction has been coming.

So, Mr. President, I am not going to go into this any further because it doesn't at this stage change or do anything. I would like to see some amendments added or whatever in this when we go into Committee stage. I intend to argue strongly for some changes, for some amendments or some re-wording into this when we get this amendable stage. So with these few words, Mr. President, I will leave it at that.

MISS ANNIE M. MOORE: Mr. President, I rise to support this Bill up to a point, but I feel, Sir, that we shall have to go into it very carefully, and I do hope and pray and trust that they will not be like the lobster law which we had some time ago, because it was never carried into effect. We make a lot of Laws, make a lot of bounds, make a lot of appointments, but unfortunately somebody never seems to do their jobs.

I have seen little boys, not over ten or twelve years old with their spear-guns and all their equipment to go spear-fishing, and I feel, Sir, that little children like these are never watched and they can do a lot of damage. May be the tourist boats are watched to see what is happening or why is they are not, but for this Law to be effective it must have proper supervision. Now, it is no use of making a board and putting on the board people who are selling conchs and lobsters, you must put people who really will attend to the job and who have no personal ends to gain. I have seen, I suppose about ten years ago, one Sunday afternoon, some tourists going away, they had about fifteen onions bags full of what was, I know now to be black coral. I feel that the average person at that time did not know much about black coral and they were allowed to take away this and destroy what

MISS ANNIE R. BODDEN (CONTINUED): ...could be now, I suppose the foundation of - it might have been young ones or what, I do not know, but I know that they were taking it away.

Now, I do not like the expression that was used about cock-eyed people disagreeing with what we do. Now, all of us are cock-eyed when it suits us to be cock-eyed, and I feel that if anybody makes any proposals that would help for our benefit we could at least listen to what they say. I know that I have a - I suppose you'll call it, friends who are foreigners and who have been at me for ages to see if Government will not provide a Law whereby we can have protected gardens in this George Town harbour. People who are divers know the beauty of the underwater, and I feel that if any of these help us to make any suggestions we could at least not describe them as "cock-eyed". I do not like to discriminate against people who disagree with us. I suppose now I'm called "crippled", and I had to laugh to myself just now when I thought of the Beach Law being talked about - (If I'm out of order, please correct me, Sir) - I should have mentioned that not too long ago I had a client who told me that some man was stealing his wife or girlfriend and he had the man abashed, crippled, but him nearly run out. I laughed to myself and said, I hope nobody is trying to abash me and the money has run out; well, that was beside the point, Sir, but I am saying that we should in every way endeavour to preserve what we have as our birth-right.

Personally, conch, lobster or crab has never been cooked in our house in my life-time; my mother was allergic to anything in shell and when she wanted crabs cooked we had to employ outside people to do it and eat them not inside our house. But, not everybody is that way, and I am very sure in the past that most Caymanians existed on sea food and now we must try to preserve it. About twenty-five years ago I remember we had floods like we had last night and there were millions, and thousands, millions of tiny little lobsters who came from the Great Sound, they said and invaded our George Town Harbour. They crawled all over the verandahs by the millions; well, I don't see anything like that these days. I feel, Sir, that it is a good Law, I do not agree with all of it but I support it to the extent that we must have some regulations. Thank you, Sir.

MR. CRISTON A. SMITH: Mr. President, this Law before us here today is a good Law and this morning I want to give it my wholehearted support. But, Mr. President, it just seems to me that some people go completely round-bound as far as conservation is concerned. This Law was needed long ago, Mr. President. As far as the conchs and lobsters are concerned, (this is my own personal feeling), I think we are somewhat late in bringing this Bill to this Honourable House. I sincerely believe, Sir, that the Law will help matters some of our problems; the way I see it is that we should - I would rather see, Sir, a ban on conchs and lobsters, at least for three or five years, and this might put us back to the position we were in some years back.

I've made some enquiries, Mr. President, as to the growth of a conch especially, I understand that the growth of a conch is within the vicinity of three to five years. Now, they can't even get some to hatch, much less mature. As I said before, Mr. President, I support this Bill wholeheartedly. There are some amendments to be made to this Bill, and when we get into committee stage I will be asking for those amendments. So, I won't say too much here and now until we get into committee, and then I will ask that these amendments be made. I support this Bill this morning wholeheartedly, Sir. I thank you.

HON. TRUMAN M. BODDEN: Mr. President, the introduction of this Protection Law is, I think important. Some aspects of it, perhaps have come a bit late. It is important to get protective right and to ensure that we do not adopt any extreme approaches, especially if those approaches are agitated or put forward by a minority group.

The principle of live and let live is perhaps one of the more important that has existed from time immemorial, and the law has to be balanced and it has to have in it the necessary licensing paragraphs by which persons are not deprived of a living or have their living reduced to a stage where it becomes a question of human suffering as a result of bringing in this Law. These provisions, Mr. President, are in there, and it will be a very heavy duty on the conservation board that administers this law to ensure that it is one which is fair and workable in relation to Caymanians and persons

HON. VIVIAN M. BODDEN (CONTINUING): within these Islands.

One observation and one request I would make, in that the Hotels and Restaurants that perhaps use more of the bulk sea foods, especially in relation to conchs that perhaps they would be very careful when purchasing them locally to ensure that there isn't a market for any excess of taking immature life. What is taking in the line of conchs and fish for personal consumption, I think the restrictions are probably well in order and it is only in relation to sales of conch and fish on a whole that perhaps the temptation of abusing this Law will most arise.

The Law, like everything else or like all other Laws has to be balanced, and heavy duty will be on the - or the appointing the board to ensure that it is well balanced and if it does make a mistake and it has extremists one way or another on it, then I feel it will be the duty of the appointing body to remove them and to remove them very quickly. Without this type of protectionism now, ultimately the seas around us, at least in relation to the shallow water will finally be put in a barren situation, and as it is one of the important aspects of our economy, whether indirectly or directly through the tourism trade it is important. I feel that Members give this Bill the support, and if there are areas in it where you feel perhaps the restrictions should either be tighten or should be eased, then by all means, if that if fair and equitable, then it should be put into the Law.

Mr. President, in thinking I'm merely assert what I stated earlier. In this world we have to learn to live and let live, and if we transverse that principle, then we end up in conflict. Thank you.

MRS ESTHER L. EBANKS: Mr. President, I would like to support the Bill before the House, but there are a few questions or a few things in it that do not seem completely clear to me. While I agree that we should protect conchs and what not, one thing that is not clear to me is the use of spear-guns restricted. I don't know much about fishing, but I wonder how people get lobsters, isn't it a usual practice that they use spear-guns to get these lobsters? And if they are allowed a certain amount of lobsters, then why can't they spear them or catch them however; that is not quite clear to me, and may be the Member would clear this up or we could get something done about it when the Bill goes into committee stage.

Another problem that I see in the Bill, is the taking of black coral. It says, that it would be allowed that a license would be given by the board. Well, in West Bay there are a few young people who get black coral and have done very well in carving, making things and selling them around. One wonders if these people would be out off and would not be able to do this anymore or, you know, whether the board would take into consideration only people selling to big businesses or whatever. I would like those two things cleared up - and this is my small contribution, and that's all I have to say. So with that I support the Bill, Sir.

MR. JOHN B. MCLEAN: Mr. President, I too rise to support the Bill before the House, The Marine Conservation Law. I only wish this had been informed before now or the law had come into being before now, and again I do hope and pray it won't just be another law on our books, but those who are faced with the responsibilities of seeing that it is carried out will become involved and do everything possible to carry this Law out in the right way.

There are a few things which I cannot agree with, the Lady Member just mentioned one, being the use of spear-guns for lobsters. I for one do a little diving - free diving, and I find it quite hard to catch lobsters without the use of a spear-gun. In times gone by when you had plenty lobsters you could always find them in areas around rocks where you probably could use a spike, but now-a-days, Mr. President, lobsters are scarce and when one goes fishing for lobsters for human consumption, on a small basis I should say, it's very hard to - I should say, dive with a spear or a spike, and I would like very much if that part could be left out since there is already a limit set in the Section 3 of how many can be taken. I think we should leave it up to - or leave that free for the person diving so they can have a chance to get them as easily as possible.

MR. JOHN D. MCLEAN (CONTINUING):

Mr. President, the conchs is another thing. I notice mention has been made of the broad leaf conchs, in every respect I still feel, Sir, that something should be specified stating that the young conchs cannot be disturbed. Although we are speaking continually of the broad leaf conchs, I think it would be much better to put in something that covers the small conchs, because as it is, it don't saying that you can't remove the small conchs. So with those few points, Mr. President, I support the Bill, and again I hope it will prove to be a good one. Thank you, Sir.

HON. LAMAIN S. EBANKS: Mr. President, I too want to add my views on this. I think it is pretty well covered but I feel this Law is very much needed and it should have been enforced long ago. Because as it has been said, or as I can remember as a young man or boy where you could stay in one place in a boat and get a hundred conchs, fifty lobsters, these days now you'll take a whole day for probably to get that ten if you want. So I think this law should have been enforced before. There are a few things there that could be amended, but in general I feel it is a sound law. The only thing again, do when they set up the conservation board, I hope that it is very broad to see that the Law is carried out.

With my colleague there, Hon. Banks, speaking of the black coral. I think I could clear that a bit for him here. There are some young boys in West Bay that use blank canal and make their little carvings and sell, but those guys don't dive it to sell. They buy it from the divers - whether it's the divers that have the certificate or not, I don't know that part, but that's where they obtain their black coral, so I don't think that's too much of a problem. So, in general I'm giving this my support, Sir. Thank you.

HON. C.L. KIRKCONNELL: Mr. President, I rise to support this Bill but I have noticed here that there is only mention of one marine conservation board. I feel, Sir, that there should be another conservation board set up in the Sisters Islands, because it would be very difficult to administer this Bill which is to become a Law in the Sisters Islands without a board being there. Conditions also, Sir, in the Sisters Islands are a little different than they are in Grand Cayman and I would ask consideration that there be appointed - provisions be made in this Bill whereby the Sisters Islands would have a board and a fishing inspection. In some respect, Sir, I feel that this Bill has not gone far enough but at least we are making a move in the right direction.

I listened to the First Elected Member for Cayman here a while ago, and he mentioned that the law or this Bill was at a Public meeting which he held some nights ago, the people wanted this law to apply to visitors but not to themselves. This would be all well and good, Sir, but I don't think that is possible. I remember quite clearly as a youngster, I have never forgotten it, the indiscriminate taking of conchs in Cayman then. I remember an incident when a boat came up from Little Cayman loaded with conchs and someone said to one of the gentlemen on the boat, he said, "How many conchs do you have?" He said, "We have twelve hundred, sir, but we could've got a thousand if we had wanted". -(LAUGHTER) - This, Sir, to some - gives one an idea of what took place in the past, and this must be stopped. With these few words, Sir, I support this Bill.

MR. PRESIDENT: If there are no other speakers, I'll ask the Honourable Member if he wishes to reply?

HON. G. HAIG BODDEN: Mr. President, I want to thank the Members for the support offered to the Bill. Undoubtedly the many points raised can be amended when we come to the committee stage. I notice the Member from Cayman Brac mentioned his concern about the groupers, and this undoubtedly will be taken care of later on. In fact now we have a more comprehensive Fishery Law which probably will be coming to the House in November or early next year, and I believe this is where we will deal with the matter of the groupers.

With the trade in black coral, provision is here in the law for those people to obtain a licence, and I would think that the board would not refuse a licence to anyone who is currently engaged in that trade. The Members are worried that the enforcement of this law may be a difficult task, and I agree it will be, this is the reason for setting up the board, and

MR. G. HAIG BODDEN (CONTINUING): In addition to the board there will be appointed by the Board Fishery Inspectors which should help with the enforcement and the regulations under this Bill.

One Member referred to the section with spear-guns, and perhaps this section can be altered when we come to the committee stage. One Member also mentioned about the taking of small conchs, and section 8(b) would seem to prohibit that, as it says, "any broad-leaf conch, aforesaid, at all measuring less than seven inches" it would be an offence to take such a conch. But we could go further and strike the word "broad-leaf" from it and then it would include any type of conch. And Section 8 (1) (b) would then prohibit the taking of any conch less than seven inches.

With the board for Cayman Brac, this I imagine can be set up. I was hoping the two Cayman Brac Members would have volunteered to police the Cayman Brac situation, as I know that is a difficult area in that there is more concentrated activity in the areas covered by this Bill, and undoubtedly it will be a big task there. But I have no reservations at all about the appointment of a board in Cayman Brac, and from the stand they took during the preparation of the Development Plan and having their own controlled board, I think it's only sensible that they should be allowed because they are really the authorities on Cayman Brac, and I would agree with this.

The matter of taking ten conchs per person per day and twenty conchs per vessel per day would allow a vessel at anytime to have not more than twenty, but they could only have twenty aboard if they had two people because if there was only one person on the vessel the person couldn't have twenty conchs, because there is a restriction of ten per person per day, and twenty per vessel per day would only apply if there were two or more souls aboard. The taking of fish is not limited by this Law with the exception of the taking with a spear-gun, using other conventional means of fishing you could catch as many as you were skilful enough to catch with a hook and line or with a reel and rod. Of course, the taking would be restricted if you were using noxious substances.

This morning a paper was circulated which offers certain amendments to Clauses 2, 5 and 8 of this Bill, and while no Member mentioned those amendments I would like to draw the attention of the House to them. The only substantial change is in the definition "territorial waters" and in Clause 28 instead of specifying particular individuals to whom the Bill does not apply, that will be amended to say that the Bill will not apply to the Crown. This is for a matter of greater administration. With those few points, again, I would like to thank the Members for their support.

MR. PRESIDENT: Well, the question is that a Bill entitled "The Marine Conservation Law" be read the Second Time.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

HOUSE SUSPENDED AT 12:55 P.M.

HOUSE RESUMED AT 2:30 P.M.

THE ENDANGERED SPECIES PROTECTION AND PROPAGATION LAW, 1978

FIRST READING

CLERK: The Endangered Species Protection and Propagation Law, 1978.

MR. PRESIDENT: A Bill entitled "The Endangered Species Protection and Propagation Law, 1978" is deemed to have been read the First Time and is set down for a Second Reading.

SECOND READING

CLERK: The Endangered Species Protection and Propagation Law, 1978.

HON. G. HAIG BODDEN: Mr. President, I beg to move the Second Reading of a Bill entitled "The Endangered Species Protection and Propagation Law, 1978".

A draft of this Bill has been with Government for sometime. Members will remember that we discussed this once many months ago and

HON. C. EARL BODDEN (CONTINUING): at the first discussion there did not seem to be too much urgency for putting forward the Bill, but there have been certain developments which I will refer to later which has made this Bill a matter of great urgency. This Bill is asking that we adopt an International Convention which has been signed by certain countries including the United Kingdom. This Convention would prevent the trade in certain plants and animals unless, of course, that a special license was given by Government. If one should take a look at the plants and animals mentioned in the schedule one would believe that every plant and every animal in the world, with the exception of man was endangered. However, that is not the case. While many animals and plants are mentioned here, very few of them actually relate to us. As far as the plants go there are certain woods that are mentioned, like oak and pine, but these are very rare species and not the ones in which we normally trade for construction purposes.

As far as the animals go there is one which is a vital concern, and that is the turtle and to be specific, the Chelonia mydas, which is the green turtle. And it is this animal which has given rise to the urgency of this Bill, and when one knows the story behind the turtle then one will begin to understand my remark this morning of conservationists being rock-eyed people. The Department of Interior and Commerce in the United States passed a Federal ruling which went into effect today, the 5th September, and that Federal ruling will put a total ban on the importation and exportation to and from the United States on all turtle products including the products from the Turtle Farm. However, Government has not been idle and neither have the people at Cayman Turtle Farm. Government, through their diplomatic channels in Washington, through the British Embassy, through the Foreign and Commonwealth Office, have made one of the strongest presentations ever made to the United States by the United Kingdom for the trade in turtle products from the Cayman Islands. And the result of this has given rise to a small glimmer of hope that the situation will be reconsidered, and that is as far as it goes.

In addition to this, the Lawyers for Cayman Turtle Farm have filed a suit and the Judge has made an injunction which will give them some seven or eight weeks in which to present a proper case. It looks like they will be in for a very long and costly suit in an effort to prove that an exemption should be made for the products grown on the farm here. I need not stress the importance to the economy of these Islands, particularly the district of West Bay. Cayman Turtle Farm is now the second largest employer of people in Cayman, it comes second to Government and today employs ninety people, eighty of whom are Caymanians. It is the largest exporter of goods from the Cayman Islands with the value running into millions of dollars per year, and if Cayman Turtle Farm is to close down its operations, as it will have to do if the Federal ruling is not reversed, it will be a severe blow to the economy of the Cayman Islands, a blow which has been brought about primarily because some conservationists in a position of strength have decided that the misery of the green turtle is far more important than the economy of the Cayman Islands or any other such people as we are.

One ray of hope in the whole exercise is that the United States themselves have made an exception for their own territories, and they will allow the people of their pacific trust territories to continue to fish for the marine turtle, providing these people had done so in the past and providing it is customary and traditional for them to continue to do so. And it is upon these grounds, and in the light of these circumstances that we have hastened to put forward this Bill today. What is really at stake is the welfare of the ninety families employed at Cayman Turtle Farm; what is at stake is the foreign dollars which are earned and which if lost would bring about a greater imbalance of trade than we now have. So what is here today supersedes the feelings of an individual, supersedes the cock-eyedness of conservationists. It is a matter of survival for an industry which plays a major role in the economic life of these Islands.

The reason for our putting forward the Bill is that Cayman Council for Turtle Farm as well as the Foreign and Commonwealth Office, as well as the British Embassy, all believe that if we are a party to this convention there will be a stronger leg upon which to stand. And their advice is, that the passage of this Bill which would make us a part of the convention would strengthen the case and would perhaps help to bring about a reversal of the

HON. G. HALL BODDEN (CONTINUING): Federal ruling which as I've said, went into operation today and has only been stayed because of a court injunction which is to last, at most, seven or eight weeks.

The reasons for not giving the Turtle Farm an exemption as could've been given to - or an was given to another small territory are very flimsy, and in my opinion help to manifestly prove that the lobby behind that particular ruling is in truth cock-eyed. They say that the Turtle Farm needs no consideration because they have not contributed to the scientific advancement of the study of turtles. This is what is said in the Federal ruling which has been handed down by the Department of Interior and Commerce in the United States, and everybody knows that these fools are cock-eyed. Because for the last ten or fifteen years when the Farm has been in operation extensive scientific studies have been done, material has been supplied to Universities, many papers have been written and more scientific knowledge has probably been given to the advancement of the science of turtle study by this one operation than by any other single operation in the history of turtles.

They also claim that to give us an exemption would be unheard of because they would be unable to monitor the operation at the Farm. Here again, in another cock-eyed reason. It would not be difficult to monitor the operations at the Farm, all that would be necessary is to send somebody here to look at it. It is not in any place that is remote from civilization. It is only an hour away from the United States and it would not be time consuming nor difficult to monitor. And to continue with the story of cock-eyed reasons, we learn from the ruling that was handed down that they believe if the Turtle Farm is allowed to continue in operation that the Turtle Farm will increase the appetite of people for turtles and so bring about the whole destruction of the turtle race that much quicker. In addition to these there were a multitude of other reasons, all cock-eyed in my opinion, but too numerous, and some of them even too cock-eyed to report on.

Now, in this Bill itself the Government can allow trade in turtle products under a license. This is set out in the Convention itself, and simply says, "that the export of any specimen of a species included in appendix 1 shall require the prior grant and presentation of an export permit", and it also goes on to say, "that where a management authority of the state of export or re-export is satisfied that a specimen was acquired, before the provisions of the present convention applied to that specimen that the provisions of articles 3, 4 and 5 (which would do the boring shall not apply to that specimen where the management authority issues a certificate to that effect. And again it says, "that the import of any specimen of a species included in appendix 1 shall require the prior grant and presentation of an import permit, and either an export permit or a re-export certificate, an import permit shall only be granted when the following conditions have been met :-

(1) A scientific authority of the state of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved.

(2) A scientific authority of the state of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it, and a management authority of the state of import is satisfied that the specimen is not to be used for primarily commercial purposes".

Now, the fact is, that Cayman Turtle Farm is, in my opinion as far as the Convention goes, (if there) not for cock-eyedness) in an advantageous position, in that the majority of the turtles there were acquired prior to the coming into operation of the Convention. The Convention says, " Animals acquired prior to the coming into it could not be subject to the Convention". In fact the Turtle Farm is now self-sufficient in that they are rearing turtles that have been copulated and eggs laid in captivity, and they had a programme which had been approved by the United States or accepted by them to allow them to take eggs from the wild on a decreasing scale from what they have done and the last number of eggs should have been taken during 1979 when

HON. G. HAIG BODDEN (CONTINUED): they should've taken nine thousand. But the Turtle Farm has said, that they are willing to forego the taking of the last nine thousand eggs because they now know that they have sufficient female turtles to lay the eggs that will be required for the continuation of the Farm. So, the Turtle Farm has actually met the criterion whereby there are self-sufficient and they have developed circuit operation where eggs will be laid in captivity, hatch, grow to maturity and continue the cycle of life.

Here again, in handing down this ruling the people were loath to accept this fact, and they said that they did not have sufficient information on the Farm as to its ability to produce to breed turtles in captivity. The Bill, if it is accepted would prohibit the trading in all plants and animals mentioned in the Bill with the exception that under Section 4 a license could be issued by the Governor, and Section 7 would allow the importation of green sea turtles brought in here from abroad providing these were used for local consumption. I may say that under Section 7 there is to be an amendment and we will be deleting the words "by residence of the Islands and all other words appearing thereafter in the said Clause" and by substituting the words "By persons living in the Islands if such taking is customary". So, the Section will read when it is amended, that you would be allowed to bring in green turtles for our local consumption necessary for the sustenance of people living in the Island providing the taking is customary, which it is. So, if this Bill is accepted people will still be allowed to bring in the wild turtles, but the turtles so brought in would have to be consumed in the Island.

Under this Bill you would not be allowed to export the turtles with the exception of having a special license as Merchandise too. The other animals and plants would hardly be of any interest to us with the possible exception of orchids which I think could too be made the subject of a special license. Now, the question before the House is whether we adopt this Convention which we have been advised to adopt or whether we say, 'No' to it. The answer to that question will go along way in influencing the decisions that are to be made in the coming weeks, and so it is up to the Members to make up their minds as to whether they are prepared to support the Bill or whether they would want to take chances and maybe let one of the - what has become one of the major industries flounder, because Government has failed in its responsibility to this industry. So with this, Mr. President, I would ask the Members to support the Bill and pass it into Law in this sitting.

QUESTION PROPOSED: UNANIMOUSLY RESOLVED.

MRS. ESTHER L. EBANKS: Mr. President, I beg to move a motion at this time under Standing Order 44 (1), that this Bill be taken to a Select Committee of Members of this House and be studied properly, because there are things in this Bill that Members do not understand, personally, I am not prepared to deal with it .....

MR. PRESIDENT: On a point of order. The motion to move into Select Committee cannot be made until after the Bill has been read the Second Time.

MRS. ESTHER L. EBANKS: I'm sorry, Sir. Thank you.

MISS ANNIE H. BODDEN: Mr. President, while I agree that we should have some control over birds, animals, turtles, fish, etc., I cannot agree with this Bill here. There are words that I have never heard in my life; I don't know how to pronounce them, I do not know what they mean, and we have been charged with passing Laws that we do not understand well, the Schedule to this Law I do not understand. One word here/it's very prominent to me and that is 'Breadfruit". I do not know if they know that we should restrict the importation or what of breadfruit. Well, I don't know what else nature has failed to produce, but I am very sure it hasn't failed to produce breadfruits. And in my yard this day, I gave them away by the dozens here. I asked people to come and get them and for all that my yard is covered with breadfruits which have fallen down. That is the one word that I understand here, plus orchids. All these other terms I am not familiar with, and I do not agree that we should adopt anything United States, England, or any other country may say, I feel we should deal specifically with what actually pertains to.

MISS ANNIE H. BODDEN (CONTINUING):

Now, this Turtle Farm we have that going and I don't think we should do anything that would destroy the value of it. Personally, some years ago I held up, and thank God it was supported, that the fifty thousand dollars which we would waive as stamp duty, that was an inducement to let this Turtle Farm keep on its feet. Now, I would agree, Sir, that we need protection for local birds because up to a few days ago I had a complaint from a very prominent lady in this country, and she is a foreigner as they term them who feels very concerned about the way that people, including Government people, are destroying the bird life of this island. It is a shame that innocent birds should be the prey of people who are just malicious who want to murder even the innocent doves; I feel all like that we must protect. We must protect anything that would be a benefit to nature; and while scientist and those people might rise and say that the turtles are endangered species, I can't agree that God has forgotten how to create anything in this world, and from the time I was a very small child turtles were abounding around the Macaupuan coast and even in Cayman, and up to now I feel sure that they are still multiplying. If the turtles are not engaged in this thing they call sex they may be the only animal in the whole creation that has forgotten it, because in the island that's all you can hear, sex, and I believe that must be how things are produced.

Now, I understand - even this week a lady came to my office and she said in the United States she had a complaint about a relative of hers who had an illegitimate child, and she said, in the United States that is a popular thing in colleges; you're are an outcast if you haven't got this thing they call sex. Well, I'm saying that if it's so prominent about human beings who should have better sense, I am very sure that the turtles will/be extinguished. And I feel that while I support the Bill up to a point, I cannot agree that this Long Vac here we should adopt everything that outsiders may think, we should deal with what will concern us and our economy, and for us to do anything that will hamper that Turtle Farm we would be doing a disloyalty to the Cayman Islands. Thank you, Sir.

HON. TRUMAN M. BODDEN: Mr. President, after that I would like to say, a many speech - (LAUGHTER) - (MISS ANNIE H. BODDEN - Call it what you want brother) - I want to diverge a little bit, Sir, and go on to what I think is going to be a fairly important decision for this House. Nobody likes having to go quickly through Long. I for one, Mr. President, believe that it should be looked at very carefully. However, I believe that it is on our shoulders to look at the advantages and the disadvantages to this in the event that it is not dealt with in time we be of some use to Mariculture.

Cayman Turtle Farm now employs over ninety people of whom substantially all of them are Caymanians. They have what is - I would say, the only substantial export from these Islands of some one million dollars annually, and while there is no guarantee that the passing of this Law will ensure that the ban in the United States is lifted it is a very important ingredient towards the submissions that will be made there within the next few weeks. Ninety people are a reasonable size of our labour force, and I think we have to weigh very carefully, this probable loss of jobs within the Island against the possibility that included in it, that Schedule may perhaps be some specimens of plants, for example, which at present are not exported and I doubt if they are imported and therefore the Law should have no effect on it.

I have looked through the list of animals and plants and the common names are given as well as the scientific names and I believe, Sir, that at present since we import most things from the United States and the remainder perhaps from Canada and Europe, and since this Convention is one that is adhered to by many of these Governments. If we look first at the import side of it, then if these countries have adopted this there is no possibility of importing those specific specimens, therefore it should not be able to reduce imports from the United States because the United States is a party to it. So I do not believe that from that aspect we could be affected very greatly. The only area which I understand may be affected is where non-curable parts of turtle were imported from elsewhere and trans-shipped. But, Mr. President, perhaps the answer to that is a direct shipment and a real invoicing without passing those products through the islands. Against, perhaps a few jobs, we have to look at the Cayman Turtle Farm situation. Therefore I do not believe, Sir, that this

HON. TRUMAN M. BODDEN (CONTINUING): ... can materially affect imports into the Islands.

... look them at the position with agouta. What do we export from these Islands? At present that is limited to turtle and I think I am correct in saying, that it must only be sure when turtle caught in the wild are actually exported from these Islands. I join with the mover of this Bill in saying that I can see no logical fear or justifiable reason for any conservationist or any other minority group stating that where there is an autonomous egocle relating to the production and the termination of the life of animals that there can be any loss to wild life. It is not wild life, it is a continuous cycle and it is a cycle which if stopped can only affect that specific farm and it cannot affect wild life as such. It would be different if in some manner the industry was drawing on wild life, but in fact as I understand it they have put back into the sea turtles which would have not been put in the sea if they had not been in operation. And secondly, the percentage of survival of the animals is now - after considerable research has been increased in relation to the survival of the small animals.

Sir, what I am really attempting to show is that unless there is a good reason and there is within this schedule, either part one or part two, either something which is important which we might to these Islands, or alternatively, something which is important and which is predominantly wild having regard to the other exports. Then I think or I would ask that we, not at this stage, attempt to go into a very long process which by the time it is completed, and perhaps at that stage it is found that this may be in order that the whole reasoning behind this no longer exists. Like I've mentioned earlier, I share the views of this House, and I have stated this many times from a platform that Laws should be looked at carefully and they should be dealt with carefully. But there does come a time when one has to choose between certain realities which may not grow to us the time which you may otherwise have, and which are important and which must be weighed very carefully in the light of the probable damage that may result as a consequence of taking a course on this.

What I would say to Members is, any area of this schedule that you have any doubts on in an effort to expedite this, but to allow you to have the necessary scientific interpretation beyond - if you wish the Latin - when interpreted then perhaps prior to this going into Committee stage or during the committee stage here we would perhaps call in whatever necessary expert advice was there to cover any species which maybe within these Islands, such as the Conch-fish, the orchids and any other area that the Members feel that they need advice on. I have to be very frank, I do not believe that there is anyone person who could perhaps sit down and attempt to explain absolutely all of the Latin and phrases in relation to this, but having given to it the common names, then I think that whatever area Members have any doubts on I would ask them to see if this could be cleared within a committee. And if we go into that committee and you find that it is not possible to do so or you are not satisfied in relation to those species that worry you, then perhaps another course could be taken. What I am really saying is, rather than adjourning this now, if you have doubts in any area, and quite frankly, you know it's a complicated schedule, then let us see if we can get you the necessary explanation now, expert or otherwise, either overnight or at the committee stage.

I believe that perhaps on I remember it, Miss Meeks knows the time is when the last time of pleadings arise, and there are two week intervals of pleading defence and the replies to the defence. So, I would ask you if there are areas in this let us go down through it and let us get at this stage whatever explanation you need, and let us see if we can try to deal with this and get it out of the way at this time, and at least get in the ingredients which may be necessary to ensure that another ninety families within the Islands continue in the jobs and the way of life that they have been used to over the past few years. I thank you, Sir.

CAPT. K.P. TIBBETTS: Mr. President, this Bill before us has got my mind very confused. I have been listening to the Honourable Member explaining why it is brought what etc. - knowing that as from today anything pertaining to turtle is barred in the United States. I really can't see, I can't understand, if we are going to pass a Law or a Bill in the Cayman Islands naming out there

CAPT. K.P. PANTON (CONTINUING): turtles as endangered species in our waters and on our shores that we are in anyway ignoring what the United States are doing. That giveems the biggest puzzle I've had in my mind, I've been sitting here thinking ever since it was introduced if we agree with these book-eyed conservationists as was referred to by the Honourable Member on the other side thinks that turtles are endangered and are going to be extinct in a few years, I am prepared to say that it is lack of knowledge on their part that they say so. The older ones of us in these Islands will remember back, but we say fifty years ago, that there were at least - (I am using a conservative figure) - thirty boats from Cayman/and Grand Cayman that were catching turtles on the banks of Nicaragua or what we refer to as the Southern Reefs, and the turtles did not become extinct in those days, that went on year after year and today there are only a very few boats, I don't know if there is such as five that catch turtles from these Islands. At least I know that there are none from Cayman Brac.

And it's a matter as far as turtles particularly are concerned, it is the same as a man having a pasture. Let us say a man has a pasture of X acres and he puts X number of cattle there, if he has no other pasture the food will soon become finished, and it is the same way with the turtles. If the turtle is not used after a few years there are going to be more turtles than it is food to feed them, and the same will apply with cattle in the pasture and I cannot agree with anyone, conservationist or whatever they may be that the turtle species are endangered.

Referring to what the Members have said about the Cayman Turtle Farm, I fully agree that they are not anymore considered to my mind or I don't think anybody's mind as the wild sea turtle. They have been caught, they have been reared in captivity, they lay, produce and reproduce in captivity and they cannot be the wild sea turtle anymore, they might have been originally but they cannot be now. It looks to me as if we pass this Law or this Bill, it should only be for one idea in mind, and that is, if in passing it can help us to save Cayman Turtle Farm well pass it as a sham but not as proposed, because other than that I don't see that we can go in and refer to such things as turtle, breadfruit, particularly as being an endangered species in these Islands. There are more breadfruits in Cayman Brac now than has ever been there in my life time, and I can prove it, and the same thing applies to a lot of other things.

Now, we referred this morning in our debates on the soldier crabs, it is true that they are being exported and becoming extinct, because on exportation such as was going on had to make them become extinct. And the same thing applies to our orchids. I am very sorry to say that we have an orchid farm in Cayman Brac that has not been anyway near what it should have been. The undertaking originally with that was to be a propagation plant and they would ship the propagated orchids after they got big enough to ship, and I can assure you they have not done this, and I would like to see this Law passed to stop the exportation of orchids unless they were propagated. Because we have almost lost, I would say, probably fifteen or twenty percent of our orchids that we had in Cayman Brac through those not being propagated and shipped as such. So with those remarks, Sir, if I could have it explained how this Law will help us, then I may decide to support it, otherwise I cannot support it unless, as I've said before, it will be passed for the purpose of saving Cayman Turtle Farm as a sham and not to be a reality.

MR. CRADDOCK WALKER: Mr. President, I too will have very little to say at this stage, because if the Convention of International Trade has gone into effect today then this is against our approval or they're not waiting to find out whether we would agree to support that International Trade. They have made those decisions into that and brought it into effect, so whether it affects us or not it's sort of immaterial to the International Trade.

The First Elected Member for Communities Council has pointed out that if we so desire detailed expertise explanation on this, then we could have it. Well, that's what I, as a Member, will be asking for. I don't know how we will do it but I would like to have some more detailed explanation on this explaining the reasons for it and why we should be then brought into something that we had no say in. Now, you're just asking us to fall in line and accept it, that's not good enough for me to pass on to my people.

MR. CRADDOCK EBANKS (CONTINUING):

I remember when we were debating the Havanatuna affair two years or so ago, when we were talking about the exporting side of it we were assured from Government side that this coming into effect would have Government seal stamped on it, and it wasn't nothing then according to what was passed on to us. It wasn't anything that could stop it from going to market, because it would be approved or have the Government seal on it and it would automatically go right on through, but I see a reverse on it now. I will do anything that I could or I can to support and stretch my efforts out if it's anyway possible of doing it that we could save the situation with the Turtle Farm. Although there isn't much of it being sold locally, I feel that it is one of the major products that we've got or in fact it's just about the only one and the employment side of it, whatever little revenue might derived from this I am willing and prepared to give every support to do anything that I can to help maintain this. But if we pass this Bill as it is today then - since the International Trade has gone into effect, then it is not necessary for us to wait or bill or how to giving any particular section of the Bill any consideration, because it has already signed and gone into law.

So, Mr. President, without any further ado - I would either like to get down around the Table or around the bench or any place and hear some more on this, so I could ask some more questions or ask questions on this to get some definite concrete answers for the reasons for this. So, as I've said, without any further ado I will commit myself or restrict myself from having anymore to say at this stage until we decide whether it will be in a committee of the whole House or whether it will be a committee in the regular keeping with the House, and some expertise brought in to point out and to clear up the reasons and the details of this for us. I thank you, Sir.

HON. W.W. MCCOY: Mr. President, I beg to support this Bill. And in listening to the discussion that has gone on thus far there does appear to be a number of areas of misunderstanding which probably, if can be cleared, although I do not presume to be able to clear them, might help to clear up the doubts in the minds of Members as to the effectiveness or the usefulness of this Bill or of the Cayman Islands becoming a signatory to the convention.

First, I think what has to be recognized, that the convention didn't come into effect today as some Members are led to believe, it came into effect on the 74th of February or at least in March of 1973 and the United States, interestingly, is a signatory to the convention. But the United States has chosen or the United Government has chosen to make exceptions which affects certain territories of theirs. When, in 1973 when this was accepted by the United States, certain considerations or concessions were given to the Cayman Islands, and this is what one Member referred to already, it had to be stamped "Turtle Products made in the Cayman Islands or produced in the Cayman Islands". Just about two months ago I boarded down in Miami in the Pan Am and was surprised to find on sale at the Airport there turtle products from the Cayman Islands, so this only proves that this was the exception which they granted the Cayman Islands. What appears to have happened since that really is, that the lobbyists on behalf of the anti-eyed conservationists as the Honourable Member has referred to them, have actually decided to try to pressure the Government into lifting of or withdrawing this exception being made to the advantage of the Cayman Islands.

This is one of those instances where there are some people who consider their own needs or their own whims and desires, are in difference to anything which effects certain other individuals. The lobbyists or the conservationists in the United States, while they are prepared to concede privilege to American territories, are not prepared to give a similar concession to another territory, and therefore they have no interest in the economic survival of the Cayman Islands or the survival of the Cayman Turtle Farm, it is only that they are against having turtle products brought into the United States. Many of us know that the conservationists first attacked the shrimp, this is what they were after, but because of the involvement, the millions of dollars, the big people behind the shrimp industry, also the lobster in the United States, they had to back off that and they have tried to hit on what

HON. V.H. MCCOY (CONTINUING): probably affects the United States trade without any consideration to the effect that this would have on other convention and that is why they went on the turtle.

If we are not a Member of this convention, as has been pointed out, it weakens our position as far as being able to argue in support of retaining of the privilege of exporting turtle products to the United States is concerned. We cannot actually take or deal with the turtle in isolation in relation to all the other areas which are set out in the Bill. We have to recognize that, I suppose, in order to gain something we would have to give up something, in fact we're not giving up anything. All we are agreeing to is not to import certain things or certain animals which have been termed as being on this endangered species list. I don't see any reason why we would want to import Rhinoceroses for example, or Pythons, so we would by all means want to keep those out of the country. Other names here which are botanical names and other scientific names, I don't think mean very much to us when we come to recognize what it all refers to. We will find that none of these really affect us. That is to say, either that we would be wanting to import these things here and we will be prohibited by being a member of this convention, or there are things which we would wish to export, and again, which will be prohibited from doing by being a signatory to the convention. All that we are really interested in is the survival of the turtles - I wouldn't say all, but that's the main thing. We are interested in maintaining the privilege of being able to sell our turtle products.

Apart from the United States being the largest market for the turtle products, where this would have other effects on us, even if we found a market elsewhere, we are in most instances obliged to ship the products through the United States and of course, it would be prohibited if this prohibition is allowed to stand. What happened today is, that as far as turtle products are concerned they are banned from any other place coming into the United States besides the Cayman Islands. As has been pointed out, .. this is only because of an injunction which the legal advisers or the lawyers of the Cayman Turtle Farm have been able to get. It's a stay of execution of this as far as the Cayman Islands is concerned. And what the Honourable Member has pointed out as being the urgency of having this Bill passed at this sitting of the House is a fact that a final decision will be taken within say, the next six weeks, and we haven't got much time to actually go and try to get in to all the ramifications, try and analyze and find out the meaning of all these terms in that time. What we are concerned with, as I've said earlier on is to save Cayman Turtle Farm, to save the employment of jobs of ninety people, to actually establish at least one important area of export which does provide dollars that are useful to us. And even though the matter of balance of trade is rarely something which we understand, it has some significance to us in the economy and this export will at least reduce in a very small way the difference between our export and our import at the moment.

So, I think if Members would really look at this from these various points recognizing that we have nothing to lose, as it were, by refusing or being a signator agreeing not to import these animals and other things listed here or not to export them. And in fact, we haven't got them, all like the Mongolian Wild Horses and Mountain Tapir and the Pigmy Hog and these things, we know nothing about these, so either coming or going they mean nothing to us. What we are really concerned with is trying to save our Turtle Industry. And in passing this Bill we have been advised by sources that are capable of giving us very sound advice; the Foreign and Commonwealth Office, the British Embassy in Washington, the legal advisers of the Cayman Turtle Farm, that it is in our best interest that we will strengthen our position by passing the Bill which would then allow us to become a signator to the convention. And of course, this is nothing that we are stuck with for life because you will see that we are able to withdraw from this by giving twelve months notice of action. But what is important right now is, for us to be able to do whatever we can to support the fight being put up by Cayman Turtle Farm to save a very important industry.

MR. GEORGE C. SNOW: Mr. President, I often heard it said that a politician as a rule is quite two-faced, and I must admit that at this present moment I find myself in that position. This morning we were fighting very strongly to

MR. GEORGE C. SMITH (CONTINUING): protect our own conchs and lobsters and now I am also fighting to - should I say, destroy somebody's else turtle - a green turtle.

I have listened very attentively to the point Members, especially the First Elected Member for Executive Council, the last speaker, but Mr. President, I honestly can't see the relevance of this Bill period. I have reservations on that, but the why is, as pointed out, there is only one particular issue in here that is relevant to the Cayman Islands and that one is that of the green turtle, and without that if we import most of our stuff from the United States, or mostly United States and the United Kingdom - if the United States refuses to trade with these goods, the United Kingdom refuses to trade with these goods; it then comes back to the one relevant point of the green turtle. I will say that the argument so far has not convinced me that passing or agreeing to the passing of this Bill will give any strength to that of the Turtle Farm. Personally, I would just vote against it and forget about it, because I feel that we can do more damage as far as the local Caymanians are concerned by agreeing with it than what we could do if we didn't agree with it.

Another point that I would like to make is, that as referred to the Member from North Side; about two or three years ago I sat in the gallery and I heard very strong statements made to the fact that if Government contributed fifty thousand dollars to the welfare of Cayman Turtle Farm that it would give it a stamp of approval which would be accepted throughout the world. I think this argument was very well taken at the time, but we see today that this is not necessarily true, and it makes me wonder, Sir, if the arguments presented so far don't fall into the same waste basket. And I would strongly recommend that we go into some form of a committee or group to further consider this Bill. I can't honestly appreciate the urgency of the arguments presented so far, and with that, Mr. President, I would ask that the other Members here would take a definite stand against the passing of this until we can be more readily convinced of its value. I thank you, Sir.

MR. PRESIDENT: Are there any other speakers? Would the Honourable mover like to exercise his right to reply?

HON. G. HAIG BODDEN: Mr. President, I appreciate the fact that we are nearing the hour of adjournment and perhaps at four thirty if you could allow me to continue, we could at least wind up the debate on this today, but it might be impossible to do what I have to do before four thirty.

First of all I would like to say that when this Bill came to me I was confused, and as I said in the opening, I thought that all the animals and plants in the world were on the endangered list. But upon closer examination and upon consultation with Dr. Jackman of the Agricultural Department, I found out that there wasn't much in this Bill that really applied to us. In the first place ninety-nine percent of the animals here are already banned for trade. Under the Animals Law, which has been on the books for many years, we cannot import animals from Africa, Asia, Central America and other countries, and most of these animals here came from there areas. The only animals that are of specific concern is the Caretta caretta or the Loggerhead Turtle and the Chelonia Mydas, the green turtle. As far as the plants are concerned, according to Dr. Jackman, if I can quote him as an authority, the only plant that really applies is the orchid and we are fortunate in that our common orchid the stromboidis is not on this list. We do have the cattleya which is found here in very rare quantities, and that would be the only orchid listed on this that would be affected, but most of our trade in orchids is in the stromboidis which we do not have.

The Breadfruit is the same thing, the breadfruit mentioned here is the batocarpus, what is commonly known as the Costa Rican breadfruit, and is a very rare and exotic plant and not found in the Cayman Islands at all. The breadfruit we have differs from the batocarpus in that it starts with an "a" and is called the ateucarpus, so on that score our breadfruit is not included on this list. However, I have no objections to the Bill going to a select committee later on, and the Members having a chance to go through the entire list to satisfy themselves that the plants and animals mentioned here are of a species so rare that if the same thing happens to them as happen to my friend's Dr. Do that was mentioned in an editorial this week, I don't think

HON. S. RAIG DOBSON (CONTINUING): anybody would suffer any pangs of remorse.

The seriousness of this situation is, that at the present time Cayman Turtle Farm's major market is the United States. As the First Official Member mentioned, they had looked upon us when the convention came into being in 1973 or 1974, and over the years had allowed the turtle farm to sell its products. Of course, in the rich States of California and New York there had always been trouble, and the strong conservationists lobby in California were successful in banning the importation of Turtle Steak into California. But Cayman Turtle Farm went to Court with them and the United States ruled that the action was unconstitutional, and they could then trade with California. The same problem arose in New York, and it only arose because there were people with enough money with nothing else to do that they raised this argument against the turtle, and they are very extreme people. And I would just like to use one quotation from a book written by Professor Burnham, who was, at the time the book was written, was the Head of the Department of Political economy at a University College in London and had also served as a Member of the Royal Commission on environmental pollution. And his description of these conservationists is this, I quote, "the extreme conservationist is asking the rest of society to make a sacrifice that is of greater value to society than the value to society of what it gets in return". In other words if you stop using the turtle products that loss to our economy is far greater than any benefit we can get if the turtle population increases when we have no use for it.

Cayman Turtle Farm's trade is now fifty-eight percent with the United States, and the other forty-two percent is with countries where the trans-shipments are made through the United States. So, if they were to lose the United States market they would not only lose the fifty-eight percent of their trade but they would also lose the right to trans-ship the other forty-two percent through the United States.

As the First Official Member mentioned, on the very last page of the Convention there is a way our country can withdraw by giving twelve months notice. It says, "Any party may denounce the present convention by written notification to the Depositary Government at any time. The denunciation shall take effect twelve months after the Depositary Government has received the notification". The fear that adopting this convention would seriously affect our local Turtle Business and would not help the Cayman Turtle Farm case is really unfounded, because Section 7 of the Bill makes provisions whereby Section 3 has no application to the taking of green turtle for consumption by local residents. Section 3 is the section that would forbid importation but Section 7 goes on to say that "Section 3 has no application to the taking of any member of the species of green sea turtle (Chelonia mydas) in waters seaward of mean low tide for personal consumption by residents of the Islands if such taking is customary, traditional and necessary for the sustenance of" and the rest is to be amended to read "of people living on the Islands". So, the passing of this Law would not stop somebody from going to Nicaragua and catching turtles and bringing them home and this is in keeping with the convention, because under the convention, this says, "that a party to the convention may allow certain trades under a special license", but our case would be strengthened if we became a signator.

I would just like to say, Mr. President, I'll move for this to go to a select committee. But before making the formal motion I would ask the Members if they could meet on Friday, and if you could adjourn the House and will it look most unseemly we're finished with the committee so that we could get the business dealt with. We wouldn't want to wait until November to receive the report from the Select Committee, so I'll move, Mr. President, that the Bill entitled "The Endangered Species Protection and Propagation Law, 1979" be referred to a Select Committee of the whole House.

MR. PRESIDENT: I think we've got to take a motion on the Second Reading first. If Members have heard that the mover of the Bill intends to make this motion, which I'll allow him to do immediately after the vote on the Second Reading. So I'll put the question first that a Bill entitled "The Endangered Species Protection and Propagation Law, 1979" be read the Second time.

QUESTION PUT: AGREED. BILL WAS GIVEN A SECOND READING.

HON. C. HAIG BOSDEN: Mr. President, I beg to move that a Bill entitled "The Endangered Species Protection and Propagation Law, 1978" be referred to a Select Committee of the whole House.

MR. PRESIDENT: The question is, that the Bill be referred to a Select Committee of the Whole House.

QUESTION PUT: AGREED. BILL REFERRED TO A COMMITTEE OF THE WHOLE HOUSE.

MR. PRESIDENT: I think we now have to decide on a quorum and a Chairman.

HON. C. HAIG BOSDEN: I would suggest, as this is such an important Bill that the quorum be the same as for the sitting of the House, which is seven, I believe. And the Chairman could well be the Attorney-General or myself.

MR. PRESIDENT: Well, is it acceptable that the quorum stands at seven? If there is no dissenting voice we'll take that as carried. I'll now nominate the member in charge of the Bill to be Chairman of the Select Committee.

It is now half past four and it's time to interrupt business. The remaining items on the Order of the Day will stand over until tomorrow.

ADJOURNMENT

MOVED BY: HON. H.M. MOODY.

QUESTION PUT: AGREED. AT 4:30 P.M. THE HOUSE ADJOURNED UNTIL THURSDAY MORNING THE 7TH SEPTEMBER, 1978 AT 10:00 A.M.

THIRD MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THURSDAY, 7th SEPTEMBER, 1978

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. H. M. McKOY, M.B.E., F.P.M.	FIRST OFFICIAL MEMBER (TEMPORARY)
HON. DAVID R. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. H. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES D. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHYRLENN EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. BENJAMIN C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE P. HODDEN, ODE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K. T. TIBBETTS	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDERS OF THE DAY

THIRD MEETING OF THE (1970) SESSION OF THE LEGISLATIVE ASSEMBLY
SECOND DAY

THURSDAY, 7th September, 1970

1. QUESTIONS:-

MISS ANNIE HULDAH BODDEN OF GRAND CAYMAN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

NO.I: It is understood that some children of the age of 11 plus are told they cannot get entrance to the Comprehensive School: Will the Member say what alternative arrangements are being made to provide education for these children?

NO.II: Will the Member state if the Prison is to be built within the 1970-1971 financial year?

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES

NO.III: Will the Member state the reason why a parcel of land for the prison was purchased at a price of $1,600.00 per acre, when a more suitable parcel could have been purchased for a price not exceeding $1,100.00 per acre, and an access road of not more than 800 feet would have given entrance to and from the Prison if the less expensive parcel had been acquired?

2. OTHER BUSINESS:

THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS INCORPORATION LAW, 1970 SECOND AND THIRD READINGS
MEMBER IN CHARGE OF THE BILL: MR.D. DALMAIN EBANKS

3. GOVERNMENT BUSINESS:-

(a) REPORT OF SELECT COMMITTEE SET UP TO LOOK INTO COST, PAYMENT AND OTHER MATTERS TO RADIO MEDIA AND SIMILAR COMPANIES
BY CHAIRMAN: HON.. TRUMAN M. BODDEN. STANDING ORDER 72 (5)

(b) PAPER BY THE HONOURABLE EXECUTIVE COUNCILLOR RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES
"PROPOSALS TO IMPROVE EDUCATION IN THE CAYMAN ISLANDS"
TO BE LAID ON THE TABLE.

(c) THE CAYMAN ISLANDS REPORT ON THE CAYMAN ISLANDS POLICE FORCE, 1969
TO BE LAID ON THE TABLE BY THE HONOURABLE FIRST OFFICIAL MEMBER (TEMPORARY)

(d) BILLS:-

(i) The Companies (Amendment) Law, 1968 COMMITTEE THEREON & THIRD READING
(ii) The Penal Code (Amendment) Law, 1970 COMMITTEE THEREON & THIRD READING
(iii) The Fishing Vessels (Safety Provisions) Law COMMITTEE THEREON & THIRD READING
(iv) The Marine Conservation Law COMMITTEE THEREON AND THIRD READING

THE ENDANGERED SPECIES PROTECTION AND PROPAGATION LAW, 1970 - COMMITTEE OF THE WHOLE HOUSE - FRIDAY, 8TH SEPT. 1970 AT 10 a.m.

(e) GOVERNMENT MOTION NO.6 - CARIBBEAN DEVELOPMENT BANK - ACQUISITION OF MORTGAGES - TO BE MOVED BY THE FINANCIAL SECRETARY.

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THURSDAY, 7TH SEPTEMBER, 1978

10.00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS:

MISS ANNIE BULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

1. It is understood that some children of the age of 11 plus are told they cannot get entrance to the Comprehensive School; will the Member say what alternative arrangements are being made to provide education for these children?

ANSWER:

Under the Education Regulations, 1971, Section 4, Subsection 2 (a),a pupil may be retained in a Primary School up to the age of 12 years. Transfer at 11 plus is not mandatory.

SUPPLEMENTARIES:

MISS ANNIE B. BODDEN: Mr. President, I would like to ask the supplementary question. If a child is,I would say,eligible with its accomplishments to enter the school, what is the reason why they are not accepted?

HON. TRUMAN M. BODDEN: Mr. President, while I do not know who the Lady Member is referring to what is now being done is that if a child has not reached the academic standard to move on then the child does not move on. The whole problem within the education system has arisen because children have been moved from one class to another when they are not either sufficiently mature or have not reached the academic standard, and that is the reason or one of the main reasons for the very low results in the past and it is the reason why at present, Sir, the results in our schools have moved upwards considerably.

MISS ANNIE K. BODDEN: Mr. President, I am wondering if it is not lack of space in the school compound.

HON. TRUMAN M. BODDEN: No ma'am.

MISS ANNIE K. BODDEN: Nos Mr. President, this is not a question, this is a statement I should like to make with your permission. I have a very underprivileged little girl, when I say underprivileged she is not in the upper bracket of society. Her parents and she came to my office almost two years ago and she asked me if she could put out the garbage, I said 'yes' and she sort of got, I suppose 'friendly' you know I would call it and she keeps bringing her reports to show me what she has achieved in school. From last September, this September one year ago she was eligible according to her report to go to this Comprehensive School, she was told at that stage that she could not enter. Well, she kept showing me her reports which I thought were very good, and this September I promised her I would try to get her in the school. The Secretary that works with me brought her a lot of forms and so on. I called the Education Department, sent the ten dollars to pay for school books and for books and books and books it kept dragging till finally I was told that her standard was not up to scratch, consequently she could not be there. And I was really amazed to think that a child of that category with reports such as she showed to me, why was she really not allowed to enter this school. Thank you, Sir.

HON. TRUMAN M. HODDEN: Mr. President, may I just mention that the basis for advancement educationally at this stage is on a non-selective basis. It does not matter in relation to the background of the child, what does matter is what is the standard of that child and whether the child has achieved sufficient to move upwards, and this is the big fault that I have found in the education system prior to this and it is what is being corrected and I'm afraid that there are going to be children who either do not have the initiative or do not push hard enough to move upwards in their age group, and if it means holding them back for although'd say upwards of one academic term, Mr. President, to increase the standard of education in these Islands rather than moving them on because they're one year older than I'm afraid I differ considerably with, you know the statements that the lady Member has made.

MISS ANNIE H. BODDEN: Mr. President, of course I shall be differed with but I feel that if the law says eleven years old go to this Comprehensive School there should be no discrimination as to who go there. And I feel that this little child, although I must respectfully say, Sir, that I have unfortunately no immediate family to attend, I try to help out those who I figure cannot help themselves and I feel that this little girl should have been given an opportunity, but of course if it's anything wrong with her degree of learning up to this stage it is quite in order to keep not only her but every other one that is not up to scratch. Thank you, Sir.

HON. TRUMAN M. HODDEN: I just want to say, Sir, that as I mentioned before the fact that she is eleven doesn't make it mandatory. It's at the age of twelve. It's the age; I just want to clear that up.

MISS ANNIE H. BODDEN: Mr. President, I would like the Honourable Member to understand that at least I understand English.

MR. PRESIDENT: I think we can proceed to next question.

2. Will the Member state if the prison is to be built within the 1978-1979 financial year?

ANSWER:

An application has been made to the British Development Division for loan funds to build the prison. An application has received approval in principle. As soon as funds can reasonably work will commence on the building.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR AGRICULTURE, LANDS AND NATURAL RESOURCES

Will the Member state the reason why a parcel of land for the prison was purchased at a price of $1,800.00 per acre, when a more suitable parcel could have been purchased for a price not exceeding $1,100.00 per acre, and an access road of not more than 300 feet would have given entrance to and from the prison if the less expensive parcel had been acquired?

ANSWER:

Government investigated fifteen parcels of land for the proposed prison farm. In the selection of the parcel the following factors were taken into account:-

(a) it is the most suitable for agriculture;
(b) it is in a remote area yet conveniently located to be within easy reach of Police Headquarters;
(c) road works are minimal.

These reasons were set out in a letter written to the Lady Member on 31st of July, 1970. A copy of the letter was sent to the Clerk of the Legislative Assembly.

MISS ANNIE H. BODDEN: Mr. President, I quite acknowledge that I misheard a letter, but that does not answer the question that I am asking now. I'm asking why is it that this cheaper land was not bought, when I, this is a statement also, am informed that this cheap land I should call it has all manner of fruit trees on it, all manner of mahogany, big, round as that, you can't span, and I feel according to the information which I have received that that was a better site, and I'm asking why was that not taken into consideration?

HON. G. HAIG BODDEN: Mr. President, I just want to verify if the Lady Member is referring to a parcel at Frank Sound owned by Mr. Waller. Is that the parcel she.....

MISS ANNIE H. BODDEN: Yes, Sir, that is the parcel I'm referring to.

HON. G. HAIG BODDEN: Yes, I can tell her the reason why we didn't buy that parcel of land. But before telling her this I think I should tell this House that Mr. Walton, after we did not buy the parcel of land, told the Member here from Bodden Town, (that is the Member for Tourism) and one of the Principal Secretaries that he was going to the Lady Member to bring this question because we didn't buy his parcel of land. Now the reason why we did not buy this parcel of land is because we went on it (and when I say we, I mean the Director of Agriculture, the Prison Officer, Mr. Ambrose from the Police, the Member responsible for Prisons, the Principal Secretaries sitting in the back here; the one for Social Services, the one for Agriculture and I believe there might even have been other people) and we discovered upon examination that this was shallow land which normally settles water during the rainy season. To build on it we would have had to fill the land, maybe eight, ten feet. The road would not have been three hundred feet, it would have been three hundred feet if we had situated the prison right at the edge of it, but this was the most unsuitable part. And further more this particular piece of land was much further out from the hospital, from the prisons, from the courts. We actually had to go through a pond which would've had to have been filled. In my opinion this particular parcel was one of the most unsuitable and had we bought that parcel the total cost including road, filling of land would have perhaps been double the cost of the one actually bought.

Now we did look at a better parcel (and the Member from South Side can bear me out on this) further up in North Side, but it was decided this was really far away. So when the question/asked why we didn't buy a more suitable parcel for less money, the parcel referred to in the question was not more suitable. But I want the Members to understand the question is being answered in this manner because the owner of the land told these gentlemen that he was going to the Lady Member.

MISS ANNIE H. BODDEN: Mr. President, I do admit the man came to my house on a Saturday with this complaint. I said "take it to your own representatives". Well, he said..... (I am not going to tell you what he said about one), but he said the other one disagreed with the buying of this property. I said "why not go to some other Member to post questions". Well, he said "you're the only one that has the nerve enough to ask a question in the Assembly". Thank you, Sir.

MR. CHALCOCK EBANKS: Mr. President, the Planning committee in that area, they did a good job when they turned down the purchasing of that land.

HON. G. HAIG BODDEN: I may add for clarification that apart from going on this spot of land we spoke to people who own land in the same area and people who have knowledge, in fact the Member from North Side was actually consulted and together with people that own adjoining land we were satisfied that the parcel in question here was not suitable and regardless of the price we didn't feel it should be bought. And we were offered land costing more than eighteen hundred dollars, we were offered land costing much less, but the people that examined these parcels of land felt that it was their duty to provide overall a suitable site.

MR. PRESIDENT: I think that concludes question time. I'll ask the Clerk to take us to the remaining orders; items on the order of the day.

THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS (INCORPORATION) LAW, 1978

SECOND READING

CLERK: THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS (INCORPORATION) LAW, 1978.

MR. BALMAIN O. BRAZON: Mr. President, the Memorandum of Objects and Reasons of this Bill is as follows:- For the past few years residents of the Cayman Islands have associated and worshipped together as The New Apostolic Church of the Cayman Islands for the preaching, teaching and spreading of the Gospel of Christ amongst the people of these Islands and for the purposes thereof have acquired real and personal property by means of funds furnished partly or wholly by such residents.

The Object of this Law is to create a corporate body in which may be vested such property real and personal situate in the Cayman Islands already acquired by or held in trust for or possessed, used, occupied or enjoyed by the said Church or which may after the passage of the Bill and its enactment into Law be acquired by the persons so incorporated and possessed of the powers to be conferred by the Law.

Mr. President, I have moved the Second Reading of this Bill.

MR. PRESIDENT: The question is that a Bill intituled The New Apostolic Church of the Cayman Islands (Incorporation) Law, 1978 be read the second time. The motion is open for debate.

I think technically we need a seconder before I put that question if he's not a Member on the other side of the House. I think for the records the Bill should be seconded.

MR. GEORGE S. SMITH: Mr. President, I beg to second the motion.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

REPORT OF SELECT COMMITTEE SET UP TO LOOK INTO COST, PAYMENT AND OTHER MATTERS TO NEWS MEDIA AND SIMILAR COMPANIES

CLERK: REPORT OF SELECT COMMITTEE SET UP TO LOOK INTO COST, PAYMENT AND OTHER MATTERS TO NEWS MEDIA AND SIMILAR COMPANIES.

HON. TRUMAN M. BODDEN: Mr. President, I hereby present to this House the Report of the Select Committee set up to look into cost, payments and other matters to News Media and similar companies. Further, Mr. President, I wish to move the adoption of this Report in whole.

MR. PRESIDENT: It's recorded to be recorded in the minutes with the formality that the Report has been duly presented.

MISS ANNIE H. BODDEN: Mr. President, and Members of this House before this report is adopted I should like to make a few comments.

MR. PRESIDENT: I'm sure that unless it's a try to.....

MISS ANNIE H. BODDEN: I think to refer to section of the Legislative Standing Orders, '78 section 5.

MR. PRESIDENT: Is the Lady Member opposing the Report because if not.....

MISS ANNIE H. BODDEN: I'm not opposing it altogether, I'm asking that it be corrected in some form, or at least I'm asking for the privilege to make my comments if.....

MR. PRESIDENT: The position under Standing Orders is that the report is not opposed and it is seconded the Presiding Officer shall forthwith and without debate put the question thereon.

MISS ANNIE H. BODDEN: Well, "without notice mine that the recommendations contained therein be adopted, modified or rejected". If I wish to have this Report somewhat modified am I out of order, please, Sir? If I am I have to sit down, if I'm not I claim my privilege to speak.

MR. PRESIDENT: I think if the Honourable Member is proposing typographical corrections that kind of thing it's in order, but otherwise I think the motion.....

MISS ANNIE H. BODDEN: No Sir, it's more than typographical corrections that I would like to comment on, Sir.

MR. PRESIDENT: Has the Member any objections if the Lady Member makes a short statement?

I think the Lady Member would have to make a formal motion for correction and have it seconded.

MISS ANNIE H. BODDEN: Well I shall do that, Sir.

I hereby like to make a formal motion to have certain statements in this report corrected. I don't know if I'll get a seconder because unfortunately I haven't got many friends in this House.

MR. KENNETH L. JONES: I beg to second it, Sir.

MR. PRESIDENT: The Lady Member may proceed with the motion.

MISS ANNIE H. BODDEN: Mr. President, I have very carefully read this report and I must say that I disagree with certain performances in the operation. And most of all I disagree with the Recommendations "that a proper accounting system together with a proper external system of auditing the accounts of the Government's advertising agent be set up including reconciliations of the respective accounts, verification of the ultimate payment of funds paid by the Government for distributions to the relevant News Media and a full audit into the past three years of payments by the Government to Crispin Associates Incorporated".

Mr. President, as a Member of the Public Accounts Committee of which I happen to be the Chairwoman we have gone very carefully into accounts pertaining to this Government - what I call or what I know to be the external auditor, and in the year 1975 we got absolutely nothing amiss in regard to the Tourist Board vote. Other Accounts we have gone into and found they have overspent six or seven or eight or nine hundred dollars as the case may be, we called in the respective people responsible and had an explanation as to why this happened. Very unfortunately now, we have before us a question which we seem not to be able to get solved very easily, and I feel that this is a reflection on not only the external system which I take it, it must be the external system which comes from abroad here, but it is also a reflection on the auditing system of the Cayman Islands period because if they're doing wrong in the News Media to cover up somebody's sin what is to doubt or what am I or anybody else to doubt that other things don't happen in other areas.

Now, I do not feel that anything is wrong with our system of accounting. I know they are careless in some instances, and we have tried very carefully to correct and we have been able to so far, but I cannot concede that we have not got a proper auditing system together with a proper external system of auditing the accounts of Government, advertising or any other form of Government.

MISS ANNIE K. DOUGLAS CONTINUING: Now, I myself have been an auditor in the Government many years ago, 1947 to 1958 at a wonderful salary of two pounds ten per month. Well, I finally got to twelve pounds ten and we at that time went very carefully; we found some discrepancies, but we were able more or less to have them corrected without too much fuss to the public. Now, I do not feel that this is an altogether correct statement. I feel according to what I have read here that the Northwester Company, which I know is hated as much as I am, is a lawful and if I have something to sell and I present the value and I get payment for it, call it anything you want, there is nothing wrong about this.

"This Committee deprecates the part played by Mr. Scales in inducing a Public Servant to make payments which he would not otherwise have made". Well, then that is a reflection not only on Scales, it's a reflection on the Director of Tourism, and I feel that that is taking the matter too far. If the Director of Tourism is doing wrong relieve him of his job, and I feel he is not doing wrong, and I must say, I do not appreciate this, it's a reflection on the Government system of auditing plus on us as Members of the Public Accounts Committee and I ask that this be corrected or otherwise struck out altogether. Thank you.

HON. PRESIDENT: I'm still not clear about the lady Member's motion. Is she moving that the report be rejected or that it should be corrected in some specific way?

MISS ANNIE K. DOUGLAS: I'm moving, Sir, that it be corrected or in the alternative that it be struck out altogether.

HON. TRUMAN M. DOLDEN: Mr. President, the lady Member seems to be in substance objecting to the full report. I did not wish to make a statement on this, but I would like to explain to this House where we saw a problem in the accounting system and while we did not publish the statement relating to this they very clearly showed that funds were being paid from agents of the Government of the Cayman Islands namely Crispin and Associates Incorporated to advertisers abroad and in the Cayman Islands. The system was very basically as we set it out in the first three paragraphs: A numbered invoice would come in from the advertising agency and at that stage the Director would put a certification of correctness on it and he could not nor could the Internal Auditor whom we examined, state, nor do I believe can anybody state, that they are certain that the funds which this Government paid and which were substantial amounts and very substantial amounts to Crispin and Associates were paid directly and fully to that extent to the advertising media that put them in. Throughout the file there were alterations, cancellations and the Director himself as well as the Internal Auditor admitted that they did not know that the money paid to Crispin and Associates was actually paid to the advertising media. Now, whether this is something that is permissible under the internal system and which the Internal Auditor said it was not, or whether it is necessary to have an understanding which we see as the only way of ensuring that hundreds of thousands of dollars have been paid correctly, then Mr. President, if this House is satisfied to sit back and shut its eyes to the possibility or the probability that hundreds of thousands of dollars or parts thereof could have gone or not have gone in this way that this Government intended it to go because we have had a system which has been enforced for some while and they are not prepared to correct it, then, Mr. President, if they're willing to give away the public funds in this manner or take the approach that it might embarrass a bit of cards perhaps to have an Internal Audit made into this then the accountability on them is to the public.

HON. TRUMAN E. BODDEN CONTINUING: My accountability is very clear. I know what went on. This Committee examined in details the Members in relation to this system and the answer very clearly is that they received an account or a numbered invoice and they did not receive any receipts showing that Crispin and Associates had paid that money at all. There was some implication because some loan sheets, not all loan sheets were seen by Mr. Merystrom, sometimes months after they were not attached to the invoices and no reconciliation and no verification of the accounts of Crispin and Associates were carried out. What I'm really saying is it is like you picking up a quarter of a million to three hundred thousand dollars every year, giving it to Truman Bodden and say "go out there and advertise and do an account for it". Now, if you can tell me that that is a system that the public money of this country should be operating under, then I'm afraid I'm going to differ and I'm going to differ very strongly.

The lady Member is an accountant, she knows what a reconciliation is, she knows how important it is to look at bills to see that money has been paid correctly, therefore if that ingredient is lacking in the system it cannot be a proper accounting system. Now, I am not attempting to throw any reflection on the internal auditing of the Government because the internal audit, the system that it works on accordingly to what the Internal Auditor showed me, cannot pick it up, but if it means amending that system externally to ensure that these heavy payments of Government's money are accounted for, and in law an agent must account and if that has been wiped either impliedly or expressly from any agreement with Crispin and Associates incorporated then you have a very serious flaw in that agreement, and at this stage that is the position as I understand it. Nobody can say that the hundreds of thousands of dollars paid have been fully paid in accordance with the disbursements which should have been made, either in the full amount or in part amounts. So it is not, and it may well be real, Mr. President, to the Government to pay substantial sums to advertising agents abroad. I'm not saying that that may not be a situation, I am just saying there is a problem and this Committee has looked thoroughly into it and it has taken advice including an examination of the Internal Auditor, and at this stage there is a gap in the system and we are recommending that that gap be closed, it is an internal gap, if you want to put it that way. But it is a flaw, and I think that what has been recommended here follows a common sense approach, in fashion accounting principles and whether it may seem at this stage repulsive to the lady Member to have an internal audit, it is nothing new, it exists in the private sector all the time. And what this Committee wants to ensure is that if funds have not gone in accordance with the way they should have that that be corrected through an audit, and secondly, Sir, the proper system relating to accountability and reconciliation and the production of receipts in relation to disbursements made by these advertising agencies or any other agencies to whom we pay this. I mean money is paid perhaps to other agents, ocean agents and otherwise, but they produce bills; this has not happened here. And having regard to what we have on these files, I think it is something which is very important at this stage that we find out where hundreds of thousands of dollars have gone. There may be no irregularity, but we do not know, and these are Government funds. It's one thing if I was giving away my funds as the lady Member here, but we have to account to the public for these.

The other part of these recommendations had relate, the second one), the facts of the statement of evidence are attached to it and there you have a conflict between the statements and it is very obvious in the recommendation that the referal is to both the Honourable Chief Secretary and the Attorney General, and it is up to them having regard to the facts in this as to what course they regard as appropriate. And the latter part of it, Mr. President, really relates to somebody saying that if this Government is going to give so to speak a general/ Attorney to hotels to put on the back of their advertising material that it is printed for this Government or for the Education Department, then the least that can be done, Mr. President, is for us to know what is there

HON. TRUMAN M. HUDSON (CONTINUING): because I believe the lady Member was one of the movers of something relating to Mr. "Security and Crusading Society" or something to that effect, and she would not like to have printed on the back of that that this is printed for the Cayman Islands Government if it's just out privately. And it is really a similar type of accountability in recommendation three that we are making in recommendation one. We want to know what has happened to the money.

Mr. President, the members of the statement is set out there and Members may look at them and they may make up their minds; this was a committee which met and sat over a long period of time and examined in detail all of the aspects in this and the report is not one which has been made lightly, it is something that has been gone into from all aspects. Thank you, Sir.

MISS LOUISE M. WOODEN: Mr. President, if I may be allowed to.....

MR. PRESIDENT: The Lady Member has the right to reply to the motion she made.

MISS ANNIE M. BODDEN: Yes Sir, but if there are no other speakers I shall reply later.

HON. V.G. JOHNSON: Mr. President, when I read this report myself I thought that the statement in the conclusion was somewhat rash - it spoke of the accounting system and of the audit system of Government. I decided that rather than coming here and speak on the report that I would write to the honourable Member on it and I sent a copy to you and to other members of Government.

I have pointed out that the accounting and audit system of this Government is based on colonial finance regulations and the regulations have stipulated quite clearly the functions of the accounting department and those of the auditor. The head of the department is an accounting officer and he has certain prerogatives in dealing with matters of finance under his department.

The Treasury has a separate function and so has the auditor. The entire accounting system of Government is under constant review from year to year and there is a system of pre-auditing, auditing and report by the auditor general himself on the affairs of the financial position and all others matters pertaining to the system. In this particular matter the Treasury and the auditor were satisfied of one thing, the rest of it was left to the head of the department, and that was that a purchase was made, the purchase was for a quantity of booklets which were sold to Government at so much per a copy. The transaction received the approval of the Financial Member responsible for the portfolio and the principal secretary of that portfolio. And therefore the treasury and the auditor were satisfied that the transaction was in order.

I have written to the Member concerning the proposal in the report to take further measures in investigating other financial irregularities of the company mentioned there. I will await his reply.

MISS ANNIE M. BODDEN: Mr. President, I'm going to say a very unkind remark now, and I'm saying it publicly. I am very happy I got put pay when.

Mr. President, as a Member of this House, one who knows that every penny should count with Government, I fail to see why this - I don't want to say what I had in my mind - men should really be taken to task about twenty-five hundred dollars.

MISS ANNIE R. BODDEN CONTINUING: I really wish, Sir, and perhaps I shall make this recommendation when we sit next in the Public Accounts Committee, that you get a committee from this House to dig into certain other departments of Government which nobody seems to understand, nobody seems to be able to account for, and dig into that.

We have had incidents publicly aired whereby certain people were accused of taking money, it was hushed up, not a word said, absolutely theft, not a word said. We have had other instances in the Court House where a coloured man was accused of stealing and every time the paper came out his picture was across the front, everytime there was a broadcast over the Cayman Radio, so and so had done so and so. All those things were aired publicly and it is what is making - one of these days it's going to be an upheaval in this country, believe it or not, and I feel that this thing is being taken too far. I resent being told that, in other words, we don't care what happens to the funds. I am seventy years old and some, from the time I was fifteen years old I taught myself book-keeping, I saw the Honourable E.J. Lee, Albert Panton, Cornell Watler, men of that calibre doing accounts and with my young brain then I grasped it, plus Harold Burridge from Jamaica and I have no paper to show that I am an accountant, but I'll put myself/ anything in the Cayman Islands when it comes on knowing the use of figures and what they mean. And as for economy, I think this Government would practice some because money is being wasted right and left, right and left on no good purpose. And I feel today that this is a personal attack on both Bergstrom and the other man.

Now, I have never got anything from the Northwester in my life free except when I got this O.B.E. this particular man brought a framed window and presented it to me, that was nothing strange because I have telegrams, letters from nearly all over the world, so that was no favour. But I do not like personality brought into this House, and that is what this means to me. Of course I know I'm not popular. I am never asked to attend a public meeting which George Town is like West Bay used to be, only has two representatives, although three on the books), and I am going to stand for what I believe in right regardless of is human frailties. And I feel today this is an attack on the Northwester, Bergstrom and Mr. Scotse, and I don't think it's right, I don't think if we have personal.....

MR. PRESIDENT: I think these are innuendoes the Lady Member is making.

MISS ANNIE R. BODDEN: Beg pardon.

MR. PRESIDENT: I think the Lady Member.....

MISS ANNIE R. BODDEN: Well, I'll entreat that if I'm out of order, I'm always ready to bow to anything, but I only it was my opinion, Sir, and if I'm wrong I'm wrong 'cause I'm not always right and neither am I always wrong. Well, I think it's a reflection on - then I'll put it, it is a reflection on the whole system of audit in the Government. I blame the Internal Auditor and the Treasury, and all concerned including the Financial Secretary if he knew that this twenty-five hundred dollars was something that was being wasted he should have made a note when the minutes came to the Public Accounts Committee to say so and so, and please call them and investigate the matter.

Now, Mr. President, I feel that we, in this small Island should do everything not to have hatred, not to have malice harboured in our hearts. Well, I am saying this without fear or contradiction that when we hear of tumults and wars and rumours of wars in other places, I hear of tumults and trouble in Nicaragua, we hear of all kind of happenings in the world.

MISS AMITY L. BODDEN CONTINUING: I feel that we as a small community professing Christians, but I'm afraid it's only a profession that we should try to heal each others wounds. And we know the gentleman has suffered loss like every other person that was mixed up in this bank along the way, and I feel that if she was had for sale some books and got twenty-five hundred dollars as the case may be that man has done nothing wrong, and if Crispin or whoever he might be, if he is milking this Government, let us correct it, but don't put the spite on anybody personally.

Now, I will not agree to this Report as it is, and of course I suppose I will lose, but I've expressed my dissenting views. Thank you.

MR. PRESIDENT: I think it might be helpful if said where we stand at the present moment. The Lady Member, I take it, is opposing the Report or alternatively recommending amendments to it. As this Lady Member was not a Member of the Select Committee, we can hardly as a House consider amending the Report. It's a Select Committee's Report, therefore as the Lady Member's opposition to it and the Chairman of the Select has moved that it be adopted, I think the simplest way simply to put the question, unless the original mover wishes to speak further I would put the question that the Report be adopted and all those who has been convinced by the Lady Member and vote against it.

QUESTION PUT: AGREED. COMMITTEE'S REPORT ADOPTED.

MR. PRESIDENT: We might suspend at this point for fifteen minutes.

Proceedings are resumed.

PAPER BY THE HONOURABLE COUNCILLOR RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES "PROPOSALS TO IMPROVE EDUCATION IN THE CAYMAN ISLANDS"

CLERK: PAPER BY THE HONOURABLE COUNCILLOR RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES "PROPOSALS TO IMPROVE EDUCATION IN THE CAYMAN ISLANDS".

HON. TRUMAN M. BODDEN: I wish to present to this Honourable House a paper containing proposals to improve education in the Cayman Islands and I wish to make a short explanatory statement of its contents. The document, Mr. President, has been tendered to be laid prior to this, Sir, and if I can assume that it will be laid, I would go on to make my statement, Sir.

MR. PRESIDENT: So ordered.

HON. TRUMAN M. BODDEN: The document which has been prepared after considerable research and considerable effort on the part of my portfolio and the Education Department and others that have been involved including the principal for the High School, is a document which is put out for the view of the public and it is to be a consultative document. I have chosen to produce this in this form because I feel that it is vital to the public and it is a basic duty of a Member of the Legislative Assembly as a representative of the people to consult with the people on all important matters.

The document will be studied by committees or groups taken from the Parent Teachers Associations themselves and whatever representatives each wishes to make from representatives from the private as well as the public schools, from members of the public and included in that I would ask that each Assembly Member if they would nominate one person to go on one of these committees. It really means involving a very large amount of people who are involved in the education system, but I believe that this can work if the committees are perhaps split and moved into a workable size.

HON. THOMAS M. BOOKER CONTINUING: I am included in this will be public meetings and these I propose to hold in any district which deems it necessary and especially I would be going to Cayman Brac along with the Principal Secretary for Health, Education and Social Services, whom I'm very indebted to for his constant help and support in this matter, and in fact in all matters in the portfolio I should say.

I regard the people of these islands and those in my electoral district as intelligent, sober and intelligent in matters such as education and I assure them that so long as I'm a Member of this House I will ensure that they are well informed and that there will be no infringement of their basic rights to involvement in important decisions and to giving me information whenever necessary on making these important decisions.

The procedure is one which has been used under all democratic systems and, Mr. President, while I am a representative I will maintain that my duty is to represent and not to do as I please while I am in this House. The public views must be predominant and I will attempt with what reservation... I may have to always guide or help them in reaching decisions which are important and which are within their ambit as the electorate of these islands.

The paper, Sir, is somewhat long, even though it is in a very condensed form because I have attempted to deal with the whole system. ...all aspects of education and to do so, Mr. President, involves a reasonable amount of time, a considerable amount of research and a lot of help from different sections within Government and elsewhere.

I believe that at the end of the process of consultation the document will be one which is in accordance with the majority of the wishes of the people on what is undoubtedly the most important matter in the life of any parent and in the life of any person in these islands, and that is the future and the education of their children. I do not believe that any parent would sit back and let me put through major policies relating to education without their having a say in it, it is their right.

The document setsout many aspects where improvement can be made and I should mention that some of what is set out in these proposals were brought out in the 77, 78 year, and as I have mentioned in it they have been substantially successful. I am very happy and I should say I thank God that at this time the results of the 'O' levels have shown a very marked improvement and while I have just received these and I have not had any time/fully analyse it, it appears that the results while being the best that we have had in the history of this school, are higher by very large percentages. Provided that I'm reading this little chart right, it appears that students entered for two hundred and fifty-six subjects and we had two hundred and ninety passes, in other words there was a seventy-five percent pass rate on entrance. That, Mr. President, is quite an improvement and what is very noticeable in it is that there were twenty-nine 'A's, eighty-six 'B's and seventy-five 'C's so that the standard that was achieved is also one which is now moving on to a much better standard. Compared to 1977 we had the number moved from a hundred and fifty passes to two hundred and seventeen passes this time which is probably, I would think, up by forty percent over the previous year, and approximately the same over the year before and considerably more than seventy-five when the passes were a hundred and fourteen, and seventy-four when there were only sixty-seven.

The improvements brought in earlier in the year or in the school year, that is, dealt with a movement of the system from one in which the non-selective system moved children upwards because of age and not because of ability, and injected into it an streamlined system of tests or examsand especially, Mr. President, is brought in the system of accountability on both teachers and students.

HON. TRUMAN M. BODDEN CONTINUING: Areas which I will not attempt to go into in detail but which also included the improvement in records in screening, in streaming and overall the bringing in of the more orthodox types of education to which the world as a whole have now realised and not as big a fallacy/as perhaps was felt some twenty years ago when there was a movement away from anything which was basic and which was orthodox So that with the continued improvement and especially if it is accepted the introduction of a Junior High School or a middle school, whatever Members wish to call it, I believe within the next few years we will have good results within that school. I am aware and I say this with a reasonably heavy load on my shoulders and with some regret that the results in Cayman Brac this time, from what I am told left much to be desired, and I assure the Members here as well as the people of those Islands that I will immediately/the analysis of the system there and I will personally with the Principal Secretary and other members of the department go to Cayman Brac and attempt to deal with the problems which are peculiar to those Islands. It can be corrected, but like everything else it takes time and I'm afraid that my approach as you will see in this proposal is not just to deal with one aspect in isolation, but to try to deal with the problem as a whole and put together the many solutions to the problem as a network, and ultimately to come up with more improved results than in an isolation of perhaps only looking at the Cayman Islands High School or only looking at pre-schools or only looking perhaps at the Primary Schools.

There is within this document partly towards a selective approach, and I am hoping that this hybrid policy relating thereto is one which should go until towards increasing the 'O'Level and the C.S.E. and the other results in the schools. I know that the paper is not and cannot be one which has covered everything and I'm asking the public to give me the help and the necessary constructive criticism to mold this policy, in fact, Mr. President, this document is one which can very well hold the future of these Islands in another decade within its ambit.

There is one aspect I would like to deal with because there seems to be some confusion in relation to the types of exams which are offered in these Islands, and there seems to have been some concern around what was a very/detailment of one of these types of exams, and I must admit, Mr. President, I did that and on what I found I felt that it was important to stop it then and not attempt to go back and spend another three or four months trying to deal with it in isolation as a cumulative type of document. It is the Caribbean Examinations Council, and what did strike me in the very early stages of taking office and as I've set out in paragraph 14 of this document was the very obvious trend towards ideals which are destructive and have in practice proved to destroy different areas of society, in fact many times to destroy nations. One of the syllabuses included a statement that I quote: "Students will demonstrate a reasonable grasp of the basic facts and concepts relating to Caribbean History. Concepts may be categorised as:- (1) Organisational e.g. trade, revolution, economy, culture, slavery, government.

(2) Procedural e.g. chronology.

(3) Definitional e.g. black power.

(4) Interpretative e.g. colonialism, imperialism, plantocracy, mercantilism."

Mr. President, I had the benefit shortly after receiving that to have been given a copy of a report in the Sunday Gleaner of our neighbour, Jamaica, and it had this to say about these exams and I'm quoting from it. It says "no one is to fail the examination as such, no doubt because failure has such a frustrating and lasting effect Students are to receive a certificate of performance on their five year course, consequently all examinations will be marked in five grades". Then it goes on, Mr. President, to say this; "criticism so far about the syllabuses is that they have been approached with the view that Caribbean Students are some strange peculiar breed of people and that everything that has been taught up until now because they have been influenced by the metropolitan countries has been imperialistic and colonialist inspired.

HON. TRUMAN M. BODDEN (CONTINUED): Among the syllabuses for producing The New Caribbean man , and it has a bracket, "the parents being the old down trodden caribbean man and woman", close brackets "should be a new beginning and a new departure"; in other words, Mr. President, the approach is that part of a system which is well known in the Caribbean because all around this country it has been injected and that is to destroy what is there now, because it is there and rebuild. These are not my words, this is one of the supporters of the Caribbean Examination Council exam, and throughout this was at a stage when the only two countries that had decided to exclude the exams which were failing at the same time as our C.X.E. exams were Guyana and, I believe Grenada of the state there - even at that stage Jamaica and the other countries had said that we are not prepared to go into it. When I took office, Mr. President, the syllabuses had been arrived and the system had moved to a stage where it was well on its way to being injected into the society and the document had been signed in April of 1972 and as soon as the document was found a gone matter and it will expire in approximately one year, but everything relating to it has been stopped, and as I've said in this, there is enough confusion with what we now have, even putting aside what the syllabus contained to attempt to confuse the minds of the future leaders of this country with any more systems and types of examination.

Mr. President, whether or not I am a Member of this Honourable House I intend to oppose, not only within the system of education but within the islands as a whole any indoctrination, any artifice or device which has/its aim or presence, teaches or otherwise attempts to inject into the Cayman Islands communism, revolution, black power, anarchism or any other matter which has been so destructive in the world as a whole and in the other islands. I do not intend to tolerate this and especially within the school system I intend to take any extreme, lawful measures which may be necessary to ensure that this/implemented and kept eradicated from the Caymanian society. Further, I'm telling you at this stage, Members of this House, I do not intend to support the payment of public funds to any persons who is involved in or attempts to teach this. We have better things on which to spend the public's money, and believe me I know the difference between indoctrination and enlightenment which I believe when once more criticism that was made of similar statements. The needs, I think or I'm sure of this type of doctrine would have been injected in through the Caribbean Examinations Council Syllabus which would ultimately have unfortunately or were to have followed what was proposed the G.C.E. and the C.S.E. examinations.

The statement I have made, Mr. President, may appear to be very blunt, but it is what I believe and I assure the public it is what I mean and I will do everything within my power, and with the help of the electorate as a whole within these islands, to ensure that these islands continue in the peaceful way of life that we have been used to, in the democratic way of life that we have been used/and what ever form that these doctrines may be clothed/and whatever reasons may be given in relation to the teaching or otherwise of these I intend as far as possible to find out, to analyse it and to deal with it within any lawful means within the ambit of the law and whatever is fair, just and suitable to the society and in the interest of the society of these islands. I would ask Members that they go through this paper critically in a critical way and in due course I will sit with Members individually as well as with the other committees, and I believe that together we can finally produce a system which can ensure that the future leaders and the future generations of this country will be guided in the right way and they can preserve the good which our forefathers and the previous Assembly or Assemblies have striped to make for us. Thank you.

THE CAYMAN ISLANDS REPORT ON THE CAYMAN ISLANDS POLICE FORCE, 1977 LAID ON THE TABLE BY THE HONOURABLE FIRST OFFICIAL MEMBER (TEMPORARY)

CLERK: THE CAYMAN ISLANDS REPORT ON THE CAYMAN ISLANDS POLICE FORCE, 1977.

HON. H.M. McCOY: Mr President, I beg to lay on the table of this honourable House the Cayman Islands Report of the Cayman Islands Police Force, 1977. This is a report, Mr. President, which the Commissioner of Police is required to prepare and present to this Honourable House annually. It reports on all aspects affecting the management and running of the police force. It's quite detailed and quite complete and requires no further clarification or ramification by me.

MR. PRESIDENT: So ordered.

THE COMPANIES (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: THE COMPANIES (AMENDMENT) LAW, 1978. COMMITTEE THEREON.

MR. PRESIDENT: The Assembly will now move into committee.

The Assembly is in committee.

CLERK: CLAUSE 1 AND SHORT TITLE.

Mr. CHAIRMAN: The question is that clause 1 do stand part of the Bill. If there's no debate I'll put the question.

QUESTION PUT: AGREED. CLAUSE 1 WAS PASSED.

CLERK: CLAUSE 2. CHAPTER 22 AMENDED.

MR. CHAIRMAN: The question is that clause 2 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE COMPANIES LAW.

MR. CHAIRMAN: The question is that the title do stand part of the Bill.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

Mr. CHAIRMAN: That concludes proceedings on the Companies (Amendment) Law, 1978.

THE PENAL CODE (AMENDMENT) LAW, 1978

COMMITTEE THEREON

CLERK: THE PENAL CODE (AMENDMENT) LAW, 1978. CLAUSE 1 SHORT TITLE.

MR. CHAIRMAN: The question is that clause 1 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 1 WAS PASSED.

CLERK: CLAUSE 2. LAW 74 OF 1975 AMENDED.

MR. CHAIRMAN: The question is that clause 2 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 WAS PASSED.

CLERK: THE PENAL CODE (AMENDMENT) LAW, 1978. A LAW TO AMEND THE PENAL CODE LAW.

MR. CHAIRMAN: The question is that the title do stand part of the Bill.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes proceedings on The Penal Code (Amendment) Law, 1978.

THE FISHING VESSELS (SAFETY PROVISIONS) LAW, 1978

COMMITTEE THEREOF

CLERK: THE FISHING VESSELS (SAFETY PROVISIONS) LAW, 1978. CLAUSE 1 SHORT TITLE.

MR. CHAIRMAN: The question is that clause 1 do stand part of the Bill.

QUESTION PROPOSED:

HON. D.S. PARKINS: Mr. Chairman, the question of the date, I think we'd agreed that we would be putting the year and the title of all these Laws, 1978 be added.

MR. CHAIRMAN: I think it is agreed that we have adopted this procedure, so if I can without taking up formal request for amendment clause 1 will now read "this law may be cited as the Fishing Vessels (Safety Provisions) Law, 1978.

QUESTION PUT: AGREED.

CLERK: CLAUSE 2. ADOPTION OF THE TORREMOLINOS CONVENTION, 1977.

MR. CHAIRMAN: The question is that clause 2 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 WAS PASSED.

CLERK: A LAW TO PROVIDE FOR THE SAFETY OF FISHING VESSELS BY APPLYING TO THE ISLANDS THE PROVISIONS OF THE TORREMOLINOS INTERNATIONAL CONVENTION 1977.

MR. CHAIRMAN: The question is that the title do stand part of the Bill.

QUESTION PROPOSED:

HON. G. HAIG BODDEN: Mr. Chairman, would you also add 1978 on the title at the front of it?

MR. CHAIRMAN: This will be done.

QUESTION PUT: AGREED. THE TITLE WAS PASSED.

MR. CHAIRMAN: That concludes proceedings on The Fishing Vessels (Safety Provisions) Law, 1978.

THE MARINE CONSERVATION LAW, 1978

COMMITTEE STAGE

CLERK: THE MARINE CONSERVATION LAW, 1978. CLAUSE 1 SHORT TITLE.

MR. CHAIRMAN: The question is that clause 1 do stand part of the Bill. I'm assuming that that again has 1978 at the end of it.

QUESTION PUT: AGREED. CLAUSE 1 WAS PASSED.

CLERK: CLAUSE 2. INTERPRETATION.

MR. CHAIRMAN: The question is that clause 2 do stand part of the Bill.

QUESTION PROPOSED:

HON. G. HAIG BODDEN: Mr. Chairman, an amendment has been circulated to clause 2 and this refers to the definition of 'Cayman Waters' and the amendment is that clause 2 be amended by deleting the definition "Cayman Waters and substituting the following new definition therefor:- "Cayman Waters means the territorial waters of the Islands and includes the inland waters thereof;" and (b) by asking the word "kill" immediately following the words "means to take" where they appear in the definition "take", "catch".

HON. D.H. BARNICK: I've got two minor amendments, Sir, which I think can be made at the Table. The definition "fishery inspection" should have initialed capitals to conform to the way in which the officer is set out in clause 5 of the Bill, and there's a spelling mistake at the head of page four: "marine life" includes crustacean" rather than 'crustacea'.

MR. CHAIRMAN: Will the question is that the clause be amended as proposed by the Honourable mover of the Bill and as further proposed by the Honourable Attorney General. If there's no debate I'll put the question.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The question now is that clause 2 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 2 AS AMENDED WAS PASSED.

CLERK: CLAUSE 3. THE MARINE CONSERVATION BOARD.

MR. CHAIRMAN: The question is that clause 3 do stand part of the Bill.

MR. J. BARSTON SMITH: Mr. Chairman, I would like to ask for an amendment on clause 3 sub-clause (5) but says "the Board shall reach its decision by Majority vote of its members and in the event of a tie the Chairman shall have a second or casting vote". I feel, Sir, that the Chairman should only have one vote and that is a casting vote.

MR. CHADDOCK EVANS: Mr. Chairman, that was exactly the point that I was going to raise and I.....

HON. G. MAY BOWEN: Mr. Chairman, I would have no strong objection to that in the light that there is an amendment to enlarge the membership of the Board. I don't suppose the Chairman's vote will mean too much. An amendment is here to enlarge the Board to eight members so I would be prepared to go along with that.

MR. CHAIRMAN: Well, the proposal is that clause 3 (5) be amended by removing the words "second or" so that the clause reads "the Chairman shall have a casting vote". If there's no debate I'll put the question.

QUESTION PROPOSED:

HON. E.N. McCOY: Mr. Chairman, I wondering if 3 (5).

MR. CHAIRMAN: No, let us dispose of this amendment first. We're dealing with clause 3 (5).

QUESTION PROPOSED:

HON. D.R. BARNICK: Sir, if I could just, before the votes are taken - I'd like to know the exact text of the amendment which is proposed to sub-clause (5). Is it intended that the Chairman should not have an original deliberative vote, is it that he would only have a casting vote or that he would only have an original vote?

MR. CHAIRMAN: I took it that the proposal was so that the clause now read "and in the event of a tie the Chairman shall have a casting vote". Is it necessary to go further?

HON. D.R. BARNICK: Yes, I think it because concerned to the question of whether he has an original or deliberative vote as a member, because the word "member" you see is defined, I think to include the Chairman.

MR. J. BARSTON SMITH: Mr. Chairman, my amendment meant that he would have a casting vote only.

HON. D.R. BARNICK: No I think perhaps the amendment should be more precisely couched in that case because if one looks at sub-clause (1) it's quite clear that the Chairman is regarded as a member because it refers to the Chairman and other members. And then when we look at (5) it says should be a majority of its members who votes. So I think we would need to make the amendment so that it reads "The Board shall reach its decision by majority vote of its members provided that the Chairman shall not have an original vote, but in the event of a tie shall have a casting vote".

HON. TRUMAN M. BODDEN: Mr. President, I agree on that. It is a bit peculiar and you know I go along with it, but it is very peculiar to have a Chairman without an original vote, and, you know, if we could exclude it I think we have to be very specific on it, Sir, as D.R. has mentioned.

MR. CHAIRMAN: Well, lets recapitulate what's been suggested, "The Board shall reach its decision by majority of vote of its members provided that the Chairman shall not have an original vote and in the event of a tie shall have a casting vote".

HON. D.R. MERWICK: I guess we could say 'that in the event of a fire".

QUESTION PUT: AGREED.

HON. G. MAIG BOLDEN: Mr. Chairman, the other amendments to clause 3 would provide that three members be appointed from the Lesser Islands and that the membership be increased from five to eight, and the amendment reads "by the substitution of the word "eight" for the word "five" where it appears therein", and (b) by the addition of the following words thereto - "three of the members so appointed shall be residents of the Lesser Islands".

MR. CHAIRMAN: The proposal is that clause 3 (1) be amended and I shall read out how the new sub-clause would read "There is hereby established a Board called the Marine Conservation Board consisting of a Chairman and eight other members to be appointed by the Governor to hold office at the pleasure of the Governor. Three of the members so appointed shall be residents of the Lesser Islands".

If there's no debate I'll put the question.

QUESTION PUT: AGREED.

MR. CHAIRMAN: If there are no further amendments to clause 3 I'll put the question that clause 3 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 3 AS AMENDED HAS PASSED.

CLERK: CLAUSE 4. FUNCTIONS OF THE BOARD.

MR. CHAIRMAN: The question is that clause 4 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 4 HAS PASSED.

CLERK: CLAUSE 5. FISHERY INSPECTORS.

MR. CHAIRMAN: The question is that clause 5 do stand part of the Bill.

QUESTION PROPOSED:

MR. CHADWICK EBANKS: Mr. Chairman, sub-section (4), right down to the bottom, in fact it is the last line where it says "any noxious substance, spear gun, trap, net or other instrument used in the commission of any such offence". I feel that spear guns should be completely exempted, ruled out from being used in our waters. Certain types of traps should be looked into as well. Nets should be made from specifications of size in/the mesh, because it is a fact that nets, seines and what not have been used around in these waters with a very fine mesh that would hold just about anything that is surrounded with these nets or seines, and a lot of these small fish that are absolutely of no use/ consumption is destroyed. You take for instance a sprat, it should be included in the law that no sprats be caught with a seine, because using a seine around a school of sprats they are just all taken out by the deep freeze full and kept and sold them for whatever unreasonable sum of money or rates that they are being sold, that they're just destroying the future of bait and even for consumption, I mean people eat sprats. So no seine should be allowed to be used around catching sprats. If you can't catch sprats in what we call a sprat net then a seine should not be used for that purpose at all. And I feel that these things should be gone into and included into the Bill for it to become a law as other parts of it, because if these nets and seines are not made to specified mesh, that the little tiny fish can slip out and go on its way, then, as I say, we're just destroying what we're trying to stop. But if we don't use the right procedure and method against these things then to really stop we won't be doing very much.

MR. CRADDOCK EVANS CONTINUING: So I don't know how we'll reword this for these things to be included in it.

HON. C. CRAIG BODDEN: Mr. Chairman, the Member has raised a very good point with regards to the nets. But I think that is covered under 25 (j) which gives Executive Council the power to prescribe the forms of nets which may and may not be used. So this could be done under that section without any other change in the law. The regulations can prescribe the size and the types of nets that can be used.

MR. CRADDOCK EVANS: One point that I am stressing, Mr. Chairman, that particularly when they say nets I don't know what they use as a definition of nets. Some people refer to some of these things as nets and some as seines, but as far as I am aware with my experience with them it's a difference in them. The seine is a long body of something which could be fifty feet, it could be hundred feet, it could be two hundred feet in length, but it usually floats and the leads sink it to the bottom and the floats to keep the other side up. It's called a seine and this should be restricted to be used catching sprats at all under any circumstances, because it just destroys a whole school of sprats when that is done. . . . By the thousands. So I don't know if the regulations or under 25 can define this as a seine not to be used at all for this purpose, and at the same time for a seine to be used the mesh ought to be specified in size so that in catching fish, jacks primarily as we use the seines for, that the smaller type of fish can slip through the mesh and go on their way. So.....

HON. C. CRAIG BODDEN: Yes, Mr. Chairman, I think we can cover that too by amending 25 (j) when we come to it and saying that "prescribing forms of nets and seines which may or may not be used". We can cover that when we come to it.

HON. T.M. McCOY: Mr. President, I'm wondering if 5 (1) could be expanded to exclude from / appointment as Fishery Inspectors, persons who themselves are engaged in fishing as a trade, or persons engaged in hotel or restaurant trade. I think the reason here is obvious. A person who is really fishing as a business shouldn't, I think be an inspector and persons who are engaged in the restaurant or hotel trade, again could violate the law themselves.

HON. C. CRAIG BODDEN: Mr. Chairman, I think we can take care of that too because the appointment is by the Board and the Board will be subject to certain direction, and in my mind the Board must appoint suitable persons and in selecting the Inspectors somebody who has a pecuniary interest in it wouldn't be a suitable person. So I think they could well be excluded without specifically mentioning it and as I mentioned in the debate, the appointment of the Board members would be the key to the running of this, and then the Board appointed would appoint the Inspectors and under the law they must appoint suitable persons, and a direction could say that they shouldn't appoint any one that has a special interest in it.

MR. CHAIRMAN: If there's no further debate I'll put the question of this clause.

QUESTION PUT: AGREED. CLAUSE 5 WAS PASSED.

CLERK: CLAUSE 6. ABSOLUTE PROTECTION OF CERTAIN TURTLES.

MR. CHAIRMAN: The question is that clause 6 do stand part of the Bill.

QUESTION PROPOSED:

HON. C. CRAIG DODDEN: Mr. Chairman, an amendment has been circulated to clause 6 which reads that it is amended by inserting immediately following the word "any" in paragraph (b) thereof, the words "member of any". I'll just to make that more specific than it was.

MR. CHAIRMAN: I'll read out how the clause would look if this amendment was carried. Clause 6 (b) would now read "any member of any species of lobster other than spiny lobster aforesaid is guilty of an offence".

If there's no debate I'll put the question that clause 6 be amended as set out in the paper and is read out by the Honourable proposer.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The question now is that clause 6 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 6 AS AMENDED WAS PASSED.

CLERK: CLAUSE 7. CLOSED SEASON FOR LOBSTERS.

MR. CHAIRMAN: The question is that clause 7 do stand part of the Bill. The marginal note will require a slight amendment to read: "closed season for lobsters".

QUESTION PUT: AGREED. CLAUSE 7 WAS PASSED.

CLERK: CLAUSE 8. LIMIT OF LOBSTER CATCH.

MR. CHAIRMAN: The question is that clause 8 do stand part of the Bill. Again there's a correction in the marginal note, it's "limit of Lobster Catch" I understand.

MR. CRADDOCK BEANES: Mr. Chairman, sub-section (b) "any vessel to be loaded with more than ten such spiny lobsters in any one day". I'd like to know what is defined as a vessel or what type boat or size that it is. If an individual is only limited to a certain amount of lobsters per day and a vessel is limited to ten, if one individual than owns this vessel he can then have ten lobsters for the day. If the vessel that consists of a half a dozen people then it will be one lobster per a person then per day or two lobsters as the case may be. Yet the individual on the outside he's entitled to his five.

HON. D.A. DAWICK: I don't know whether I'll help the Honourable Member by giving him my interpretation of the clause as it now stands. Dealing with his first point first, "vessel" is to find the purposes of this Law which is the last of the definitions in clause 2, and it's defined to mean any ship, boat, raft, barge, float, lighter or hovercraft. Dealing with his next point, I think the Law make it quite clear that no person in any circumstances whatsoever can take more than five of these creatures in any one day, and anybody who permits any vessel to have more than ten ten on board (and they would have had to be caught by two people if an offence wasn't to have been committed by somebody). No person can permit ten on board on one vessel at any one time. So that if thirty people were out, only two of them would be able to catch the maximum bag of lobsters for the day. There couldn't be more than ten on the boat without an offence.

MR. CHADDOCK KEANEY: But, Mr. Chairman, if three or four people were the crew of this vessel, then I mean how would it be just to them to be only having the privilege of one lobster or two lobsters, and I would go along in my dinghy, I skims on on my feet and get five? I well know that there could be probably an adverse mgn or behaviour to it because fifty people might want to go along on the boat anticipating five lobsters each, but looking at it generally when it's stipulated/ the law that John Brown is entitled to five per day and Edward and Jack and Bill went together and they're only entitled to three in their vessel, mark them. I don't know how we are going.....

HON. G. REID BODDEN: Mr. Chairman, I think one of the reasons for putting the limitation per boat was because the tour boats take out many people, and say if they had twenty-five people in the boat if there wasn't a limitation on the amount in the boat, well each person could take five and they would take a hundred & twenty-five in that boat. On the other hand if there's only one person in the boat he couldn't have ten, he would be limited by the limitation of five per person.

MR. CHADDOCK EBANKS: Mr. Chairman, that may be so to an extent, but I feel then that tour boats should be then included in this; they are allowed only ten per boat with their guests. But when Tom, Jack and Bill go in look/consumption for their own use, three in a boat it looks like they ought to be entitled to five lobsters each because they are three different people as well as if I went by myself I was entitled to five. So I think we should insert something or other/about tour boats taking out parties that they're only limited to ten or eight or a dozen, whatever you might want to put in for their guests on their tour.

CAPT. KEITH P. TIBBETTS: Mr. Chairman, as I see it, Sir, 8 (b) "permits or causes any vessel to be loaded with more than ten such spiny lobsters in any one day", I think we need to put a proviso on there that providing she had two or more persons on board would clarify the point that the Member from North Side is making. Because as this stands I can see his apprehension that a man could go out in his boat or vessel and if the Inspector found ten lobsters on board it could be a very stiff argument under legal points that the vessel was allowed to take ten, then again the average per person will drop so much providing it's more than two people aboard the boat. So I think that if we could insert there two more persons on the boat be allowed ten for the boat, I think it would clarify the matter.

HON. G. REID BODDEN: Mr. Chairman, I must admit I don't know the answer to this, but if the Member will propose an amendment I have no objection to the section being amended. Maybe the Second Official Member can help us.

MR. CHAIRMAN: Is the point at issue..... Sorry.

HON. D.E. DARWICK: I think I could say this is what he meant, but as it stands, Sir, quite frankly, no.

HON. V.G. JOHNSON: Mr. Chairman, I think it's because of the scarcity of lobsters in these waters why the limitation has been placed there, and I think it is important that the restriction when in open season continues.

MR. CRADDOCK EBANKS: Mr. Chairman, I am not trying to beat against the restriction. As far as I'm concerned I could make it less, if that want to add anything to the restriction. I'm not arguing against the restriction, I mean in favour that more should be granted. I'm only saying that if one individual is entitled to six lobsters, when two people go together they ought to be entitled to the same five each or if those people went together they ought to be entitled to the same five each, that's all I'm saying.

HON. THOMAS M. RUSSELL: Mr. Chairman, I would just put one observation in there. Perhaps that could be tempered if it was made clear that the persons taking each set of five were not members of the same family. I think what probably worried Members originally is that you may have a family of the six sitting in a boat picking up thirty lobsters per day which is more than necessary for consumption. I'm wondering if that would help the Member from North Side - if something was tempered to that extent.

MR. CRADDOCK EBANKS: I've got a wife and two children. My brother George has a wife and three children and I getting lobsters for myself doesn't have anything to do with him and family, neither does his getting have anything to do with me and my family. I'm not trying to bring any relationship of family in this thing at all, I'm just trying to be straight to the public, the people.

HON. THOMAS M. RUSSELL: I want the Member to know that I did that in an effort to help.

MR. CRADDOCK EBANKS: I appreciate that, but I leave my family and my friends out by their front door when I come in here. If they want to shake my hand when I go out it is alright and if they don't I got hard shoulders that carried plenty wood and basket always.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, I think I can see the Member's worry and I quite agree because where I live at South Sound there are fisherman going out alone in the boat day after day, and I think this section could be taken advantage of and instead of taking five lobsters that person who fishes alone could argue that it is permitted for him to take ten under this section. I would suggest, Sir, that following on what the other Member from Cayman Brac said there - for the sake of clarification and with some help from the Learned Official Member, to correct this clause (b) by saying something of this nature - "permits or causes any vessel to be loaded with more than ten such spiny lobsters in any one day provided there is not less than two persons on board". I believe this would cover what the Member from North Side is trying to get at, Sir.

HON. G. HAIG BODDEN: But, I think, Mr. Chairman, that's already the case. There can't be more than ten lobsters in the boat unless there are at least two people. One thing that might help if Members want - change the limit per boat from ten to fifteen. It is really the duty of lawyers to point out the loop holes, but each person can get five if they confine themselves to two people in the boat at one time. But maybe if we increase the limit that can be taken in a boat, because going to actually fish would hardly go more than three to a boat and if you limited the total catch to fifteen rather than ten it would be unusual circumstances if more than three fishermen went out in one boat.

HON. D.H. BARWICK: Mr. Chairman, accepting the challenge to look for loop holes, I notice that it says, "In any one day", presumably the boat could put out from the shore many times during the day and on each occasion return with the limit of lobsters on board. I think this is an attempt to limit the taking of lobsters, not merely by reference to people but also by reference to the vessels that there are on the island. So that one family could not use the boat during the first part of the day and being back their load and then send it to somebody in the early evening to bring back their load, and somebody else at night to bring back another load, because the owner of the boat would then have

HON. D.R. MARWICK (CONTINUING): ...permitted in any one day the boat to have had loaded on board more than the number of lobsters. But I have to ask the Member whether this was his intention, but I'm just saying as a law it seems open to that interpretation.

MR. CRADDOCK BRANCH: Mr. Chairman, this is a fine prospect, but I disregard that because if I got my boat and I go out fishing in the morning and after I come home my neighbour, it could even be my enemy, asked me to loan him my boat to go fishing, would the boat be responsible because I loan him my boat to go to get a fish and he brought home a lobster? No, Mr. Chairman, I.....

HON. D.R. MARWICK: It's not the boat, Sir, it's the person who permits the boat to be used.

HON. JAMES M. ROBERTS: Mr. Chairman,.....

HON. D.R. MARWICK: Perhaps they mean to have more than that number at any one time, rather than in any one day.

HON. H.M. McCOY: Mr. Chairman, if I may prolong this in adding my quota, I think the amendment proposed by the Hon'ble Elected Member would for the Bill provided to substituted the word "household for family" to read "provided that they're not of the same household".

MR. J. CARSON SMITH: Mr. Chairman, I was wondering whether they couldn't separate the fishing boat from the pleasure boat or the boat that is taking out, as the Member mentioned twenty-five or thirty people and allow so much for the fishing area, or whether you want to call it for consumption of the fish, well allow the fishing boat so many and the pleasure boat many. I don't know whether this will be any help or not but it looks like it's pretty hard to get around to an answer.

MR. CRADDOCK BRANCH: Mr. Chairman, it has just been suggested about the family. We have a lot of families living in one house - you have three husbands, three wives in the one house. If I went out, I want to look for me and my wife. If my son has his wife's sister in my house I am not responsible for him, he will look lobster for him and his wife. So that doesn't bring in where one family should be at all because we're living in one house but we're two different families - because he has his family and I have mine.

The worse thing that will be in the end about this law like so many others, they're never carried out, that is the thing about it.

MR. CHAIRMAN: Well, with that large number of suggestions how this clause should be amended I think that perhaps the thing to do is suspend for lunch at this stage, let the Member reflect on the words of wisdom that we've heard and perhaps come back after lunch with a positive amendment to the clause.

HON. G. MAY HODDER: Probably you don't have lobster for lunch.

LAUGHTER.

MR. CHAIRMAN: We'll resume in the House so that I can suspend. The Assembly will resume.

Proceedings are resumed. I suspend the Assembly until two thirty this afternoon.

HOUSE SUSPENDED AT 12:20 P.M.

HOUSE RESUMED AT 2:30 P.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed. We'll continue proceedings in committee.

Proceedings in committee continue on a Bill intituled The Marine Conservation Law, 1978. We'll recall clause 8 and we were in some difficulty about how exactly amendments to this clause which has been suggested should be formed.

HON. H. HALE BOBBIN: Mr. Chairman, I have two suggestions to offer. One being an alternative to the other one and would ask the Members to adopt either one or the other.

It looks to me that the Members would want to allow people actually taking lobsters for consumption to be able to continue to do so in small numbers. People searching for lobsters in this situation are generally found one to three per boat. You seldom have more than three people in a boat unless it is for pleasure. So I would suggest that in (b) the number ten be changed to "fifteen" and this would allow, if there were three people in the boat they could have fifteen lobsters, but if there were six people in the boat they still couldn't have more than fifteen. There's nothing magic about the figure ten there, that could have been ten point five lobsters or it could have been nine point eight lobsters. So that was just a figure taken out of wherever you take hieroglyphics from. So I would think that would be reasonable. The second alternative would be to add a proviso which was worked out with the help of the Second Official Member, and this proviso reads and it would be written in at the end of 8 (b), and it reads - "provided that nothing in paragraph (b) of this section shall apply to any vessel of less than eighteen feet which at the time of such landing has two or more persons on board"; that's the end of the proviso. And here again eighteen feet is not a magic number either, but eighteen feet is normally the maximum length of your national and other open type boats that might be used for fishing. This would mean that a boat over eighteen feet couldn't have more than fifteen lobsters aboard, but a boat under eighteen feet could have five lobsters per person, in other words if there was only one person in the boat under eighteen feet they would have five, if there were two people in it they would have ten, if there were four people in it they would have twenty, but if the boat was over eighteen feet they couldn't have more than a total of fifteen, but if it was under eighteen feet they couldn't have more than five per person and I'll ask the Second Official Member if this is his interpretation.

HON. D.R. BARWICK: I think the Honourable Member in charge of the Bill, Sir, has put it very well indeed. He did better than what I could myself. The only thing I'm wondering whether the words "in length" might usefully go after the words "eighteen feet". Say, "eighteen feet in length",

HON. H. HALE BOBBIN: "less than eighteen feet in length?"

MR. CHAIRMAN: There's some doubt about the Honourable Member's alternatives. Is the alternative (1) to increase the figure "ten" to "fifteen" in (b), and that is one alternative. And the second alternative is to increase the word "ten" to "fifteen" but also have a proviso

HON. H. HALE BOBBIN: In making the proviso we wouldn't change the figure "ten". Is that..... But I may have quoted "fifteen" but that was

MR. CHAIRMAN: That is my confusion. So the choice before the House so far is either we simply increase the limit from "ten" to "fifteen" under (b) and that's all or we leave the word "ten" in (b) but add the proviso "provided that nothing in paragraph (b) of this section should apply to any vessel of less than eighteen feet in length which at the time of such landing has two or more persons on board". While that is being proposed Members are free to comment on it.

MR. CRADDOCK YOUNG: Mr. Chairman, I still don't know if that covers all the field. One of the areas we might being left out and it has been mentioned earlier when they talked in terms of this "ten" as precisely in connection with tour vessels. Well, if you got the tour groups to continue and the owners of these or the operators of these tour groups operate on introducing the local area food to the guests on these tours and it appears to me like they shouldn't be left out of the picture, well whatever amount that should be defined to them, whether it be six, eight, ten to a tour boat - regardless of the amount that the tour group might have out, they could have twenty or twenty-five in their group and they're out on a party to get a certain amount of lobsters, conch and fish to do some local style cooking for their guests. So I don't know what we'll do about them even if we use what has been since suggested. One of the suggestions, as an alternative, I feel then that this tour group boat should still be brought in to some amount because if it's not then they will be completely left out of the picture. And further to that effect use this says "any one day". So whatever might be the fixed amount this continues on a daily basis, everyday. So it's not doing very much as far as I'm concerned to the control which is the main effort of this Bill. It seems that the only alternative to it would be ten to five years or three to a five years moratorium - now who is going to live with that? This is the other side of it. Anyway, I feel Mr. Chairman, like I have expressed my views and my feelings and it might not have helped very much but I couldn't in others words have expressed myself in the way that I have done, because if we're going to try to do something to help them it ought to be the measures that you can use and I don't see very much in this as it is than that is being helpful to the associations.

HON. KEITH A. TIBBETTS: Mr. Chairman, I'm prepared to accept the proviso that is added to section (b) of section 8, but I am not at all satisfied that we should increase the number of lobsters for any boat beyond "ten". I mean I believe that the lobsters are on the way out in these islands and this may be a way of probably stopping some of their passage, but I cannot agree that we should allow it to be more than ten because ten lobsters can feed quite a few people if it be done right and even if the tourist boats or the party boats go out with ten, fifteen or twenty people aboard ten lobsters could feed quite a few of them, and I don't think you'll see them all going to eat lobster, they'll probably want something else as well. So I cannot support any idea that go beyond "ten" and this proviso, I believe will close the matter up as far as my views are concerned.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, in going back to 8 section (a) and (b) I think the object is here to clear up that all that can be taken is five lobsters per person you say. Would it not help, Sir, if this was stated a little bit clearer and then that is in paragraph (a), put it "one person per day" and then in paragraph (b) following on with what I said earlier on "provided that this boat has not less than two persons on board"; this would still tie it back to five right here so you got "five" and you have "ten", and I think for the purposes of clarity if we could tie it down to where we say one person can take five or if it's a boat with two persons then it may take ten. I believe this would serve the same purpose. And if it had three persons it would still be able only to take ten and this, I think is the object of this section.

HON. G. HAIG BODDEN: Mr. Chairman, I'm speaking subject to correction on this. But I think the word "whatever" used at the beginning is singular in meaning and is the same as saying any person or one person. But it would be sort of clumsy to start it with "If one person takes" or "If any person": "whoever" is the one word that has the sentence reads smoothly, but it is a singular word which would mean one person could only take five.

HON. D.F. BARNICK: It could be expressed as "any person who" instead of "whoever"; without altering the sentence.

MR. CHAIRMAN: Can I try another version on the Assembly. Having heard the debate I think I know what Members are looking for. Replace 9 (a) and (b) with something on the following lines "not more than five spiny lobsters of or exceeding 3¼ inches cape length or 6 inches tail length may be taken by any one person on any one day with the daily catch of any vessel limited to five per number of crew up to a maximum of fifteen".

HON. G. HAIG BODDEN: Sounds good to me and I would appreciate if you would read it back so I can get it down for the report.

MR. CHAIRMAN: I'm trying to limit the number of any one person can only take five lobsters and any one crew member can only take five lobsters, and a boat is limited to a total of fifteen. So it would read "not more than five spiny lobsters of or exceeding 3¼ inches cape length or 6 inches tail length may be taken by any one person on any one day with the daily catch of any vessel limited to five lobsters per member of crew up to a maximum of fifteen per vessel".

HON. G. HAIG BODDEN: I just want to check from "may" - "may be taken by any one person in any one day with the daily catch of lobster limited to.....

MR. CHAIRMAN: "daily catch of any vessel".

HON. G. HAIG BODDEN: "limited".....

MR. CHAIRMAN: "limited to five per member of crew up to a maximum of of fifteen per vessel". But this is subject very much to a legal rewording but something along these lines, I think seems to reflect the spirit of the debate.

HON. G. HAIG BODDEN: I would suggest, Mr. Chairman, that we adopt this. I don't think too much harm can be done between now and November on it and if the section is unworkable we can amend it. I don't see any more harm being done in the next two months than has been done in the last twenty years. So I think to get on with it we could accept your offered amendment and.....

MR. CHAIRMAN: I'd just like to hear from the Second Official Member whether the wording is legally correct.

HON. D.H. BARWICK: There are two points, I think which occur to me straight away. It wouldn't be possible to convict a vessel of having allowed itself to be used for the purpose of catching lobster at all. You'll have to make a person responsible for breaking the law, that's the first thing that occurs. And the second thing that occurs to this what do you mean by "crew". If you have a boat with father and daughter fishing with the father, are they a crew or are they intended to be excluded from this provision? But subject to that, I think it's the useful concept to interpret the thing in terms of "a vessel's catch during the day" but I think the person in charge of the vessel, persons or person, in charge of the vessel permitting it to be.

MR. CHAIRMAN: We could then go on to part two anyhow - to make it an offence of whatever is in charge of the vessel.

HON. D.H. BARWICK: The one that appears in the Bill as published does at least relate the offence to permitting or causing - and I think if we could just put this around to bring those two words back into play again that we've more or less got what we're aiming at.

HON. D.R. DARWICK CONTINUING: I think, probably a neat approach maybe merely to instead of trying to work within the somewhat limiting framework of the section as originally drafted to cut the thing into two and one sub-section which says "any person", I don't think we need say "any one person" - "any person who takes more than five spiny lobsters" and then just take up the whole of "commits an offence", and make that (a). And then (b) - "any person who causes or permits spiny lobsters to be caught from or loaded on to any vessel in any one day exceeding - a maximum of fifteen or five per person on board such vessel, whichever be the greater .....

MR. CHAIRMAN: Greater or less?

HON. G. HAIG BODDEN: Mr. Chairman, could I ask the Second Official Member to read (a) and (b) again for me.

HON. D.R. DARWICK: Paragraph (a) in brackets - "any person who takes from Cayman Waters in any one day more than five spiny lobsters (Panulirus argus) of or exceeding 3½ inches cape length or 6 inches in tail length is guilty of an offence, stop". (b) "any person who permits or causes to be caught from or loaded on to any vessel in any one day spiny lobsters of the kind herein before specified", I think we'd say to save repeating that description, or the kind referred to in sub-section (1) I think is better draft.

HON. G. HAIG BODDEN: In sub-section (a)?

HON. D.R. DARWICK: In sub-section (a). Perhaps..... Lobsters of the kind referred to in sub-section (1). Is that to be in excess of fifteen or five?

HON. G. HAIG BODDEN: Fifteen, I think.

HON. D.R. DARWICK: I feel that I could enjoy this round with advantage and make it read a bit more smoothly. "Any person who permits or causes to be caught from or loaded on to any vessel in any one day", dash, "more than five lobsters of the kind referred to in subsection (1) for each person on board", semi-colon, "or fifteen such lobsters" comma, "whichever number be the greater shall be guilty of an offence". I think we could perhaps put a little i in two little it's.

HON. G. HAIG BODDEN: Mr. Chairman, I just want to make sure I have this correctly - "any person who permits or causes to be caught from or loaded on to any vessel in any one day more than five lobsters of the kind herein before referred to in sub-section (1)"; that's about as far as I got.

HON. D.R. DARWICK: I'm writing it out carefully again and, I think if I've done that then I could be permitted to pass it up to the table. "Any person ....." That is only the part of sub-section (2), I haven't written sub-section (1).

MR. CHAIRMAN: Sub-section (1) would now read "any person who takes from Cayman Waters in any one day more than five spiny lobsters", and Panulirus argus in brackets - "of or exceeding three and a half inches cape length or six inches tail length is guilty of an offence". Two, "any person who permits or causes to be caught from or loaded on to any vessel in any day - (a) more than five lobsters of the kind referred to in sub-section (1) for each person on board such vessel or (b) fifteen such lobsters whichever be the lesser number shall be guilty of an offence".

MR. GEORGE C. SMITH: Mr. Chairman, do we want to use the word "person" or "adult?". I'm speaking in terms of an individual with four children. Does this give them a right or if it just limits the man from .....

HON. T.R. DARWICK: It would – If it had four children on board they would be able to get fifteen lobsters.

MR. GEORGE C. SMITH: You're right back where you started. I think the word "adult" would be more appropriate.

HON. TRUMAN M. BODDEN: I would just mention that a lot of boys who catch the lobsters could be under eighteen. What you really need is a lower age than perhaps, you know, that age, may be, you know, that age of ten or something like that. In any event, I believe the section refers to catching so. I mean it would have to be a reasonable age I guess to catch them. I don't know if somebody could just take children in a boat and catch the fish for them, the children would have to catch their own five. I don't know if I'm correct under the new section, but I believe that is what was meant under the first one, was that the person could only take up to five, but he couldn't take for somebody else.

MR. GEORGE C. SMITH: Well, then if there are two adults in the boat and they are a husband and wife and the wife doesn't feel like going into the water, the husband is only limited to five then. I'm not sure the court will interpret it that way.

MR. CHAIRMAN: Well, if that commends itself generally to the House the finalyse things would have to do is strike out the existing clause and then vote the new one in.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The proposal now is that a new clause 9 be inserted. Technically I should read this three times as for a Bill, but on the leader of the House I'll simply read it out and put the question. 9 (1) would read as follows - "any person who takes from Cayman Waters in any one day more than five spiny lobsters (panulurus argus) of or exceeding 3½ inches cape length or 6 inches tail length is guilty of an offence. (2) - "any person who permits or causes to be caught from or landed on to any vessel in any day – (a) more than five lobsters of the kind referred to sub-section (1) for each person on board such vessel; or (b) fifteen such lobsters, whichever be the lesser number, shall be guilty of an offence". If there's no further debate on that I shall put the question:

QUESTION PROPOSED:

HON. G. HAIG BODDEN: Just one minute. I missed a part of that (b) "or fifteen such lobsters.....". Would you read that again for me please.

MR. CHAIRMAN: "Or (b) fifteen such lobsters, whichever be the lesser number, shall be guilty of an offence".

QUESTION PUT: AGREED.

CLERK: CLAUSE 8. RESTRICTION ON TAKING AND RECEIVING CONCH AND OTHER MOLLUSC.

MR. CHAIRMAN: The question is that clause 8 do stand part of the Bill.

QUESTION PROPOSED:

HON. G. SAIG BROWN: Mr. Chairman, some amendments have been circulated on clause 5 and they are (a) amended by inserting the word "living" immediately following the word "any" in paragraph (b) of sub-section (1).; (b) by inserting the word "living" immediately following the word "any" where it first appears in paragraph (c) of sub-section (1), and there's a third amendment in the final line after the word "whoever" to put in the words "not being licensed in that behalf". And there is a fourth amendment in (a) and (b) to take out the word "Broadleaf".

HON. THOMAS M. DODDER: Mr. Chairman, I see one problem in proof. So that is if the word "living" is left in then it has to be proved. I assume many conchs that are taken out of the sea, you know would be alive, it would only be rare and I'm wondering if that word "living" should be in there too.

MR. CHAIRMAN: Could I get clear first of all whether they're deleting the word "Broadleaf" wherever it appears, because it's in (a), (b), (c), (2) and the proviso.

HON. G. SAIG BODDEN: Yes, the idea is to let the restrictions apply to any conch rather than any Broadleaf.

MR. CHAIRMAN: So whenever it appears in the section it would be, the proposal is, it should be deleted.

HON. DAVID R. DARWICK: This can lead to fair the problem, Sir, because there are conch other than Strombus gigas. The Roseleaf conch is Strombus gigas.

MR. CHAIRMAN: Is Strombus the generic name?

HON. DAVID R. DARWICK: That's the generic name for the Broadleaf conch; so by deleting it in (a) you would still be leaving the same conch there.

MR. CHAIRMAN: I was wondering if Strombus were left in that .....

HON. DAVID R. DARWICK: There are conch, of course, which will never measure seven inches even when they are fully grown. So that there's a total - that would be the effect, it would be a total ban on them. At the moment there would be no restriction if the section or the clause were passed in its present form, because they are simply not referred to. But if the word "Broadleaf" and the Latin name for the species, were both to be eliminated then that would apply to all conch of which I think there are probably four or five different species available.

MR. CRAWFORD SEALEY: Mr. Chairman, I have taken some note of this - the measurement, and that is some of what I wanted to point is what the Second Official Member has just pointed out.

In our waters, to the best of my knowledge, with my many years of living around the sea, I only know of four species of conchs in our waters. One of them is the one that is referred to here as the Broadleaf, we usually refer to that one as the Queen Conch. We get another species that we refer to as a loggerhead conch; at his grown age his measurement is much less than the Broadleaf mentioned in here. So if we're going to use measurement then the inspector could find anybody with a loggerhead conch that is much under this union that measurement and then he could be prosecuted. We have another species, the Queen conch which is a huge shell, but never eaten - well, this is limited, never used for consumption, not to my knowledge.

MR. CHADDOCK EDWINS CONTINUING: We got the specimens on the King conch which measures, well, between three and four inches at its grown age. So this measurement, how would it be to most fishermen or people gathering conch - what they would have to carry a tape to measure these than to prove this or, I don't know, but as I said we got these four particular species of conchs in our waters that are very different in their size at grown age. How you will cover that then, I don't know what you are going to do.

HON. G. HAIG BODDEN: Mr. Chairman, if we take out the measurement I don't see how we'll ever stop the taking of the small conchs. And the way I understand the section is that you would be allowed to take conchs of the family of the Queenleaf or the Strombus gigas, but you wouldn't be able to take any other conch. In other words you would take your Broadleaf conch - the conchs of that family, you could take them providing they were over a certain length, but you wouldn't be able to take the other conchs at all.

MR. CHADDOCK EDWINS: Mr. Chairman, if it would be anytime that I would commit a bridge and an offence it would be in this case now. Because if I was looking conchs and came across a dozen loggerhead conchs and a dozen broadleaf conchs, I would leave the broadleaf conchs because the loggerhead conchs is a much more tender conch than a broadleaf conch, and now they are less than seven inches. So you're going to tell me now that I can't have the choice of my desire of getting what I want.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, why not take out, Sir, the broadleaf and then the helmet and the triton trumpet. Take them out and say any conch limit it to the number of conchs regardless of the species. We could be arguing back and forth all day, Sir, and we would not achieve. You want to limit the number of specimens taken out in any one day and I think this is the way to do it - forget the different names and say limit it to a number of conchs whether they be the loggerhead, the queen conch or whatever-they-are conchs - just say any conch.

MR. CHADDOCK EDWINS: Mr. Chairman, if this may help every native in this country knows the difference between a young conch and whether it's a broadleaf, whether it's loggie or whether it's the queen or whether it is a conch, they know the difference in them and they know when we refer to a young conch it's a conch that's just developing to become a matured conch at some stage. And I don't know that the restriction shouldn't be on the young conch because I would our people know the young conch, and it's being abused. We got some criminals I know with this dealing with these young conchs. A few months back someone said to my wife one day that she knew somebody who could get her some conchs if she wanted or she could get them for her, well, she told her alright. A fellow from East End, I don't know just who it was, but anyway when she got the conchs she was so shocked at the size of them and she started cleaning them and she came to the place that she couldn't even get some of them clean - she said to me let's weigh some of these; we put eighteen of these conchs into the scale and got eighteen ounces. Now to me the man that put them in a criminal and nobody can't say that he don't know what's a young conch. I think I'm not going to labour over this, but as I said the measurement with grown conchs doesn't fit in.

HON. G. HAIG BODDEN: Yes, Mr. Chairman, I wonder if I could ask the Member from North Side to help me with this. If we reduce the figure seven to say five or three, what you would think would be the minimum length of a grown conch, the tender one you were referring to, you feel that might be less than.....

MR. CHADDOCK EDWINS: Well, you'll find them that size. I suppose it's people you get dwarf, you get medium, you get what not. A grown loggerhead you'll find a much smaller conch than, if you want to use five inch, but when you get a young conch that is five inch the same way but he shall be not matured as a broadleaf, as you would call it, gents.

MR. CHADDOCK EBANKS CONTINUING: So if you want to use mature conch then restrict young conchs because I said our people know what a young conch means.

MR. GEORGE C. SMITH: Mr. Chairman, I think just to limit it to five conchs, whatever it is the individual seeking these conchs will naturally attempt to get the largest ones anyway.

MR. CHADDOCK EBANKS: No, but, Mr. Chairman, the largest are all out of existence, it's the smaller ones now because now I said fifty or ninety, something another and you had about three pounds of conchs and grown conchs would run anything to ten, twelve, fourteen dozen to a pound.

HON. C. RAIG HOWARD: I believe, Mr. Chairman, if we change the figure seven to five that would meet the point raised by the Member. Here again the seven is really not a, you know, a magic figure, we can change it to five or to four point five inches or whatever might suit. I would suggest that we change it to five inches. Actually if I remember right, when we took this Bill to an informal meeting it was six inches and we increased it to seven - in the first draft it was six, but I have no strong feelings. But I think we need some measurement or else you couldn't prove that the person had taken a small conch when you want to count if there wasn't anything to guide the court. So we can put five inches or three inches, but I think we should have some measurement.

MR. CHADDOCK EBANKS: Then if he took the king conch which is about three and half inches and that's a grown conch, what are you going to do with him then?

MR. CHAIRMAN: Again I'm thinking aloud trying to simplify what has been said. The Attorney General, I think, raised a very valid point that if we define "Breadleaf" we're going to be in considerable difficulties. Could we have paragraph (d) as (e) and then we'd have a new (d) which says "any other edible conch measuring less than four, five inches, whichever you like or any other conch whatsoever", you would then retain your measurement for the main one which is a breadleaf - any other edible conch that's eaten you'd have a smaller measurement for it and it would be an offence to take any non-edible conch for any purposes whatsoever. But again I'm subject to the Attorney-General's advice on this.

MR. CHADDOCK EBANKS: Mr. Chairman, my last contribution or vice versa. When most people get their conchs, they're broken at sea, the conchs and the shells are left at. How anybody is going to know if it was a five inch or a five inch conch shell that that conch came out of when he comes in.

Mr. Chairman, I agree with the restrictions - it's not as easy finding a solution to these things as what is written here, I am telling you that, Sir, with due respect and I want to help in any manner I can, but as I said then when John Brown comes in and the inspector looks into his boat and finishes with the ten conchs, how is he going to be satisfied that those ten conchs were taken out of a seven inch shell?

MR. JOHN B. McLEAN: Mr. Chairman, we'll have to decide on the weights.

MR. CHADDOCK EBANKS: Well, we got the weight from me.

HON. D. KAIG BODDEN: Mr. Chairman, maybe we can take out the measurement altogether and as the Member from George Town pointed out, the fact that people are restricted to taking ten conchs would guarantee that they wouldn't fool around with the small ones. Maybe we could take the measurement out altogether and as I said on the Minister, I don't think this is going to have any major impact on marine life between now and November and when we meet then if we have done wrong in this we can correct it by an amendment. But we could take out the measurement and hope that the limitation on numbers would

HON. G. HAIG BODDEN CONTINUING: ensure that people would be taking as big a conch as they could get.

HON. E.K. McCOY: Mr. Chairman, I feel that you could still retain the measurement reducing this to the five inch suggested, because if they're less than five inches it doesn't naturally say five inches. We do know that the king conch is rare, it is not a type that you can go and get a boat load of and in my days of getting conchs probably you'll get one out of a hundred conchs. So that you would ignore that. The queen conch is usually a fairly large conch and again it is a rare conch. But if you kept the size to below five inches I think it would cover these young conchs.

MR. DALMAIN D. EBANKS: Mr. Chairman, I think if we use the words "queen conch" and leave it to the discretion of the Inspector - the difference between a queen conch and a young conch; that may be able to help because I'm sure that the Inspector would know a young conch.

CAPT. KEITH P. TIBBETTS: Mr. Chairman, I've listened to this debate here on this subject. I got a few conchs in my time and I really don't see any use in putting in measurements. If we put it that ten conchs regardless of quality, class or nature, ten conchs are ten conchs - it's just like what the Member from North Side said you're not going to find the conch in their shells, all you're going to find is just the meat of the conchs and it is impossible for anybody to take that conch and say well this does not belong to this I believe we're just wasting our time arguing about measurements. It should be numbers and I will agree to that regardless of what type of conch, because as the Member from George Town said, people [illegible] they're restricted will try to get the conch that is most valuable to them. But I would strongly suggest that in sub-section (d) the same proviso be made as was made in section 8 (b) for the catching by the boats, and the same thing put on because we have section (d) there that says "permits or causes any vessel to be loaded with more than twenty such dressed conch in one day". I think the same proviso should be put in there as what we have in it for the lobsters.

HON. CHARLES L. KIRKCONNELL: Mr. Chairman, it all boils back, Sir, to what I suggested originally. Just forget the number of conch, forget the length of conchs and just limit it to a number of conchs, regardless of what species.

HON. G. HAIG BODDEN: Mr. Chairman, I would suggest that in clause 2 we delete the entire clause and replace it with (a) "Whoever takes from Cayman Waters more than ten conchs in any one day or disposes or causes any vessel to be loaded with more than twenty conchs in any day is guilty of an offence", and that the second part of clause 2 would read the same as the little (2) "Whoever in any one day purchases or receives more than twenty conch",(just leave out "broadleaf",) "taken from Cayman waters is guilty of an offence".

HON. O.H. HARVICK: It does not really matter, I think, if drafting at the moment, Sir, if that's the will of the House I can soon cast it into precise words. Just a question whether the provision would be retained. It does seem to me that the Honourable mover of the Bill has made a very useful suggestion which takes up the point about the shell - the shells being left behind if there was any risk of them leading to detection or conviction which seems to be a very valid point. But would the restriction on purchase be something that the Board could allow? I think when one looks at it, the proviso refers to paragraph (a) that comes in a sub-clause with which doesn't have a paragraph (a), it's probably meant to relate to the paragraph in the previous sub-clause which would mean that the Board could permit the taking of more than ten but presumably wouldn't be in a position to permit more than to be purchased or received.

MR. CHAIRMAN: It seems to me that we've fairly well reached agreement of what we want to be put in and I think this might be a suitable time to get away from these indigestible new foods for fifteen minutes while the Member.....

HON. O. RAIG BODDEN: And we'll work out clause 9.

MR. CHAIRMAN: Resume proceedings in the Assembly. Proceedings are resumed and I suspend for fifteen minutes.

Please be seated. Proceedings are resumed. We shall resume proceedings in committee.

HON. O. RAIG HOWDEN: Mr. Chairman, I move that clause 9 be deleted and replaced with the new clause which has been circulated.

MISS ANNIE K. HOWDEN: "Any person who takes from Cayman Waters in any one day more than fifteen conchs", is that correct?

HON. O. RAIG HOWDEN: Mr. Chairman, we settled on that because one Member wanted twelve and they said they would be cheaper by the dozen. But that figure is subject to correction, if you want to put it ten or twelve or fifteen it's o.k. with me.

MR. CRADDOCK EBANKS: Mr. Chairman, just one question for clarification or information, I don't which one you'll get. We dealt with the lobster side of it under a closed season, is there any close season to these conchs or this is all the year round?

HON. O. RAIG BODDEN: Well, it wasn't intended to put in a close season unless the House wants it - we can put a close season. One of the problems is I understand it's very difficult to determine the mating season for conchs.

MR. CHAIRMAN: So I take it that there's no further debate on this clause.

HON. W.H. BARWICK: If I may be permitted, I think in the course of transcription sub-clause (2) has the phrase "Cayman Waters" in it twice. I think this may be partly illegibility of my manuscript. I think that the section will meet the wishes of the House and will be much clearer and more legible to everybody, understandable to everybody if it merely reads "any person who causes or permits to be landed on to any vessel in Cayman Waters more than twenty conchs in any one day commits an offence" and that the words "taken from Cayman Waters or" simply be taken out. I think it will achieve the same purpose and be much clearer and I apologize for my handwriting.

MR. CHAIRMAN: Well, subject to that correction if there's no further comments I'll put the question first that clause 9 be struck out.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The question is now.....

HON. W.M. McKOY: I'm sorry. Does the proviso remain, Sir.

MR. CHAIRMAN: Pardon.

HON. W.M. McCOY: The proviso at the end of 9, does that remain.

HON. C. HAIG BODDEN: No, we've put that in one to apply only to question 1.

MR. CHAIRMAN: Well, the question now is that the new clause 9 circulated to Members as slightly corrected by the Second Official Member stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 9 WAS PASSED.

CLERK: CLAUSE 10. RESTRICTED MARINE AREAS.

MR. CHAIRMAN: The question is that clause 10 do stand part of the Bill.

QUESTION PROPOUNDED:

MR. J. CARSTON SMITH: Mr. Chairman, section 10 clause (1), "the Governor may designate areas of Cayman Waters to be restricted marine areas under the management of the Board for the purpose of marine research and development". I was wondering, Sir, what kind of research and development is projected in this case.

HON. C. HAIG BODDEN: I could say that at the present time the National Conservancy people and Mosquito Research do carry out some experiments in the North Sound like building artificial reefs and trying to find young lobsters. It is not very sophisticated but the time could come when experiments of this nature to determine the breeding habits of conchs or lobsters could be carried out in a place like North Sound. So it was thought advisable to have the provision here in case it is needed.

MR. J. CARSTON SMITH: Mr. Chairman, it also goes on to say that such areas shall be clearly demarcated. I was wondering again, Sir, how will these be marked.

HON. C. HAIG BODDEN: Well, probably if this was going to be done there would have to be a regulation prescribing the details on how it would be marked and I think this could well be covered under your regulation making clause, in fact it is under 23 (c), "the Governor may make Regulations for prescribing restricted marine areas and conditions applicable to each such area".

HON. C.L. KIRKCONNELL: Mr. Chairman, I think what's contemplated now is something like what they have in the United States - you have different farms, in Denmark you have oyster farms, in the States they have oyster farms. It is not impossible for someone to come along and perhaps start a conch farm or a lobster farm or a whelk farm. I think this is what they mean here by designated as marine park.

MR. CHAIRMAN: If there's no further debate I'll put the question.

QUESTION PUT: AGREED. CLAUSE 10 WAS PASSED.

CLERK: CLAUSE 11. MARINE PARKS.

MR. CHAIRMAN: The question is that clause 11 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 11 WAS PASSED.

CLERK: CLAUSE 13. USE OF NOXIOUS SUBSTANCES PROHIBITED.

MR. CHAIRMAN: The question is that clause 13 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 13 WAS PASSED.

CLERK: CLAUSE 14. FISHING BY DIVERS PROHIBITED.

MR. CHAIRMAN: The question is that clause 14 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 14 WAS PASSED.

CLERK: CLAUSE 15. USE OF SPEAR GUNS RESTRICTED.

MR. CHAIRMAN: The question is that clause 15 do stand part of the Bill.

QUESTION PROPOSED.

MR. JOHN R. McLEAN: Mr. Chairman, I wonder if in sub-section (a), "other than any lobster" couldn't be left out there.

HON. G. MAIG BODDEN: Yes, Mr. Chairman, I would agree with that.

MAN. NATHAN S. BODDEN: I had a suggestion too, Sir, that clause 15 (a) to be rescinded and to read "by any one person to take for human consumption only six fish or five lobsters per day or in any area other than a marine park or a restricted marine area".

MR. CHADDOCK EBANKS: Mr. Chairman, I think made mention of this spear gun on the opening of this Bill. I still feel that spear guns should be completely restricted of use whether it be for self-sufficiency or not because it will be used in lieu of other fishing just destroyed and they shoot young fish just for the sport of it and if it's legal for them to use it for one purpose it will be abused in other ways. And I feel that it should be completely restricted for all purposes, not to be used at all.

CAPT. KEITH F. TIBBETTS: Mr. Chairman, I too would like to support the idea of us restricting spear guns. They have done a great amount of damage I'm sure in my Islands and I'm positive the same thing is going on down here. There are a few people that still use spear guns around home, maybe after they finish work in the day they go out and get a meal of fish, but I still believe that they could get along without doing that. Spear guns have done as much damage and I believe they're the cause of most of the destruction of lobsters in these Islands, and I've seen a lot of lobsters from time to time, they have been speared and they did not get them and they died, of course that runs the other lobsters away. And I'm not in favour at all of allowing spear guns to be used in the Islands.

HON. G. MAIG BODDEN: Mr. Chairman, something peculiar is happening, I believe. If I remember right, when the original draft was discovered with the Members increased the number to six fish that could be taken with spear guns. I believe we could reduce that six to three in the lobster instead of five to two that can be taken with the spear gun. I don't think it would be right to abolish the use of the spear gun altogether, but if Members feel we could put a limitation on it - further restriction on it.

HON. JOHN D. McCLEAN: Mr. Chairman, I am not much of a fisherman but I would like somebody to point out to how would somebody get a lobster from deep down in the ocean without the use of a spear gun. I am sure that a spike can be used, but down at those depths I don't see somebody using a spike. So I don't really go along saying that someone can't use a spear gun to get lobsters.

HON. V.G. JOHNSON: Mr. Chairman, there is no doubt that spear gun has done a lot of damage, especially in the shoal waters around the island, and it seems to me that the only manner in which real restrictions can be brought against the use of spear guns is to place a restriction under the Customs Law to ban the importation altogether.

MR. CRADDOCK EBANKS: Mr. Chairman I would have thought that when it came to the time that that's where where it would have been carried out. But I can't go along with the idea that that's probably the only way that you could get a lobster when now, by using a spear gun. We ate them before spear guns was known in this country and it's only been the last couple of years that spear guns have been brought in here, and they have done more harm than they have done any good, and I don't see why this House should want to uphold for things to continue that is cheating quite.

HON. H.M. McCOY: Mr. Chairman, it would seem that if the proposal to restrict the use of the spear gun by banning its importation is entertained, then you would have to retain the restrictions such as now provided on for the number of fish or lobsters that can be taken. Because there are at present quite a number of spear guns in the island in use and no doubt they are still on the shelves of some of the places selling them. So you probably have to allow time for them to disappear. But the importation would prevent more coming in and then those that are being used now you could restrict the use of them until such time as they disappear, but they wouldn't be able to be replaced.

MR. CRADDOCK EBANKS: Mr. Chairman, I wonder if the Third Official Member could say then . . what benefit does Government get from the importation of these spear guns, in other words are they dutiable. I'm not quite sure because they didn't have a copy of this - and I don't quite remember seeing this as to being duty free or not.

INAUDIBLE.

MR. CRADDOCK EBANKS: It is? So if it's duty free then makes it all the more.

HON. V.G. JOHNSON: Spear gun is dutiable. Mr. Chairman, it comes under the category of the twenty percent duty. But whether it is dutiable or not, it's a matter of whether in the best interest that they should continue to be imported into the island. The small amount of duty that is collected from it is immaterial really.

MR. CRADDOCK EBANKS: Mr. Chairman, that was the point I was trying to make, whether it was dutiable or not. If it is dutiable it's so little that you don't even recognise what you get from it. But it's the hurt and the harm that it has done to these waters around this island and we're talking about protecting the marine life and this sort of thing continues, then, I mean we just as well make using dynamite legal.

CAPT. KEITH F. TIBBETTS: Mr. Chairman, spear guns: I feel confident that the duty collected on spear guns has been minuscopic. I have spent a lot of time at the airport, seen them come in in a tourist baggage or bring it in his hand or she may bring it in her hand, as the case may be, and it's very seldom you ever see them taken back out - by the time they turn around they give them to a friend or give them to the boat man that takes them out or some such thing.

CAPT. KEITH P. TIBBETTS (CONTINUING): And I believe the majority that's in the Cayman Islands, that's how they came here. And I strongly support that we must bar the spear guns under the Customs Consolidation Law, and in the meantime I support the idea from the first Official Member that we should keep these controls under this law until such time as the guns are used up or done away with, because there are a lot of spear guns in the Cayman Islands. I don't think it's going to do any harm to anyone to stop the fishing with spear guns because most of what it is used for is sport and for destruction, it's not used for a necessity, it's just a matter of getting food, a few people do do it but there are so few that it wouldn't affect anybody.

HON. C. WAITE BODDEN: Mr. Chairman I think we could leave the section as it is with the two amendments that have been mentioned and maybe at a later date the House could look at banning the spear gun, banning the guns that shoot the little birds because this is a far greater problem here than the use of the spear guns, the wanton shooting of birds by people that come in especially to shoot birds, but I think this would be better handled under the Customs Law if the House wants to ban the importation, and in the meantime, I think we could restrict this. There are various restrictions here - they can't be used in a marine park, they can't be used in a restricted marine area, they can only be used when you're taking fish for human consumption, they can't be used for sport and there's a limit of six fish per day, that could be reduced to three and lobsters reduced to two that could be taken by a spear gun, and these are very severe limitations and I don't think we should put an absolute ban here.

HON. V.G. JOHNSON: Mr. Chairman, banning of any item of importation under the Customs Law is the matter for the Governor in Council and not the Legislative Assembly.

HON. TRUMAN M. BODDEN: Mr. Chairman, I think we can probably just add after the word "lobsters" in paragraph (a), 74, the words "or five lobsters or less in accordance with section 8", because the next, Sir, is section 10 of the Customs Law and I don't think at this stage we could amend that. I mean this is something we'd have to deal with later on if necessary.

MR. CHAIRMAN: I take it that it's been suggested that the clause be amended, is (a) to read as follows - "By any one person to take for human consumption only six fish or five lobsters per day or less in accordance with section 8 in any area other than a marine park or a restricted marine area".

HON. CHARLES A. KIRKCONNELL: Mr. Chairman, it was six, then they said to reduce it to three, have we gone back to six?

MR. CHAIRMAN: I shall put that to an Independent vote; those in favour of leaving it at six.

QUESTION PUT: AGREED. THE AYES HAVE IT.

MR. CHAIRMAN: So it stands at six fish or five lobsters. I'll put the question that the clause be amended as read out.

QUESTION PUT: AGREED.

MR. CHAIRMAN: The question is now that clause 14 as amended do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 14 AS AMENDED WAS PASSED.

CLERK: CLAUSE 15. USE OF SEINE OR GILL NETS PROHIBITED.

MR. CHAIRMAN: The question is that clause 15 stand part of the Bill.

QUESTION PUT: AGREED, CLAUSE 15 WAS PASSED.

CLERK: CLAUSE 16. RESTRICTION ON TAKING CERTAIN MARINE LIFE.

MR. CHAIRMAN: The question that clause 16 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSE 16 WAS PASSED.

MR. CHAIRMAN: It's now half past four, but I don't need to notice that unless if Members would like to finish the Bill tonight.

HON. S. SAM BOLDEN: I think you should leave the Bill until tomorrow, Sir.

MR. CHAIRMAN: Alright, I'm quite happy to interrupt business. We're not going to get through all the orders of the day today I'm afraid. So I'll return to the Assembly proceedings.

Proceedings are resumed.

ADJOURNMENT

MOVED BY: HON. H.M. McCOY.

QUESTION PUT: AGREED.AT 4.30 P.M. THE HOUSE ADJOURNED UNTIL FRIDAY MORNING, THE 8TH SEPTEMBER, 1978 AT 10.00 A.M.

THIRD MEETING OF THE (1978) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON FRIDAY, 8th SEPTEMBER, 1978.

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. E. M. MOODY, M.B.E., M.H.R.	FIRST OFFICIAL MEMBER (TEMPORARY)
HON. DAVID R. DARWICK, O.B.E.	SECOND OFFICIAL MEMBER
HON. V. C. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. W. HATH HOUDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. DALMAIN EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. CATHERLEEN EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE M. BODDEN, [illegible]	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K. P. TIBBETTS	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. CRADDOCK EBANKS	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. [illegible]	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDERS OF THE DAY

THIRD DAY

FRIDAY, 8TH SEPTEMBER, 1978

1. QUESTIONS

MISS ANNIE HULDAH BODDEN OF GRAND TURN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR EDUCATION AND SOCIAL SERVICES

NO. 1. Are any plans on foot for creation of an Old People's Home or is there any place available which may be used until such a facility is built?

MISS ANNIE HULDAH BODDEN OF GRAND TURN TO ASK THE HONOURABLE FINANCIAL SECRETARY

NO 2 Will the Member state:
The amount of revenue collected from the various heads as from the 2nd day of January, 1978 up to and including the 25th day of August, 1978; as well as the amount expended for the same period? Is there any amount of Customs Duty outstanding at present, and have the long outstanding amounts been collected.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR CIVIL AVIATION AND TRADE

NO. 3 Will the Member state the cost of the renovation of the Airport Facilities?

2. GOVERNMENT BUSINESS:

BILLS -

The Marine Conservation Law, 1978 COMMITTEE THEREON
The New Apostolic Church of the Cayman Islands (Incorporation) Law, 1978 COMMITTEE THEREON.

(i) The Companies (Amendment) Law, 1978 - REPORT THEREON
(ii) The Penal Code (Amendment) Law, 1978 - REPORT THEREON
(iii) The Fishing Vessels (Safety Provisions) Law, 1978 - REPORT THEREON
(iv) The Marine Conservation Law, 1978 - REPORT THEREON
(v) The New Apostolic Church of the Cayman Islands (Incorporation) Law, 1978 REPORT THEREON.

THIRD READINGS

(i) The Companies (Amendment) Law, 1978
(ii) The Penal Code (Amendment) Law, 1978
(iii) The Fishing Vessels (Safety Provisions) Law, 1978
(iv) The Marine Conservation Law, 1978
(v) The New Apostolic Church of the Cayman Islands

GOVERNMENT MOTION NO. 6 - CARIBBEAN DEVELOPMENT BANK - ACQUISITION OF SHARES TO BE MOVED BY THE FINANCIAL SECRETARY.

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FRIDAY, 8th SEPTEMBER, 1978

10.00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE HULDAH BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

Are any plans on foot for erection of an Old People's Home or is there any place available which may be used until such a facility is built?

ANSWER: The building of an Old People's Home is being considered. At present Government has no plans available which may be used until such a facility is built.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FINANCIAL SECRETARY

Will the Member state the amount of Revenue collected from the various Heads as from the 1st of January, 1978 up to and including the 25th day of August, 1978; as well as the amount expended for the same period? Is there any amount of Customs Duty outstanding at present, and have the long outstanding amounts been collected?

ANSWER: Revenue CI$11,918,020.51
Expenditure CI$6,371,444.78
Yes. The amount outstanding and covered by cash deposits is CI$700, 000.00. A portion of the long outstanding amounts has been collected and the balance should be settled in the near future.

SUPPLEMENTARY:

MISS ANNIE E. BODDEN: Mr. President, apparently from this reply we must have a saving of close to two million dollars on the transactions thus far. Is that amount presently, could that be used for any additional work that we may have to carry out or is that to lay over until the end of the year?

HON. V. C. JORNSON: Mr. President, at the beginning of the year it is usual to collect a lump sum of the Revenue from Companies Registration and Bank Licensing Fee. This amount, of course, must be spread over the twelve months of the year because there are no collections under these Heads for the rest of the year; and so we find a build-up of Revenue from January to around August, September. This is partly what accounts for some of this build-up but apart from that I should say that because the economy is booming somewhat with construction increasing, and other activities very prominent, the Revenue collection has been quite good and the Treasury is in very good standing.

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR CIVIL AVIATION AND TRADE

Will the Member state the cost of the renovation of the Air Port facilities?

ANSWER:

1977 Expenditure	$108, 847. 45
1978 Expenditure	31, 155. 35
	$140, 002. 80

MISS ANNIE E. BODDEN: Mr. President, I should like to just say this to Mr. Jornson and I'm very proud of the improvement.

THE MARINE CONSERVATION LAW, 1972

COMMITTEE THEREON

CLERK: CLAUSE 17. RESTRICTION ON CERTAIN EXPORTS

QUESTION PUT: AGREED. CLAUSE 17 PASSED

CLERK. CLAUSE 18. CONTROL OF EFFLUENTS

QUESTION PROPOSED:

MR. GEORGE C. SMITH: Mr. Chairman, I'm just nervous about something NOT stated in this section. Would this refer to ships, whether ships in the port who would be exempt from this or would it still apply?

HON. DAVID R. DARTICK: It would apply to ships while they are in the territorial waters.

MR. GEORGE C. SMITH: Well, this would pose a problem to the immediate ships because they are not designed to accommodate this.

HON. CHARLES KIRKCONNELL: Mr. Chairman, I believe that under the Port Regulations we have Regulations governing this. I think I'm correct, Sir.

MR. GEORGE C. SMITH: I was just curious.

QUESTION PUT: AGREED. CLAUSE 18 PASSED

CLERK: CLAUSE 19 PROTECTION OF SUBMERGED TREASURES

QUESTION PUT: AGREED. CLAUSE 19 PASSED

CLERK: CLAUSE 20 CONSTABLES' POWER OF ARREST

QUESTION PROPOSED:

HON. J. M. McCOY: Mr. Chairman, I am wondering whether it is an omission here in the third line which reads "may stop and search any vehicle", noticing that in 21 and 22 "vessel" is also noted. Here it only speaks of a "vehicle", whereas in the other two it mentions "vessel or vehicle". Now it appears as if "vessel" has been omitted.

HON. TRUMAN SWORDY: Mr. Chairman, I think for it to have the effect that it should have, I think it should have "vessel" in there as well.

HON. HAIG YOUDEN: I agree with that, Mr. Chairman.

MR. CARSTON SMITH: Does this mean that we are going to take out the word "vehicle" and insert just the word "vessel" ?

MR. CHAIRMAN: I think the personnel is that it should follow the wording in Clause 22 and that the third line of Clause 20 it would now read "may stop and search any vessel or vehicle". If there's no further debate I'll put.....

MR. CRADDOCK EBANKS: Mr. Chairman, I feel that's very essential because Section 21 specifically points out "vessel or vehicle" so 20 should have "vessel" along with "vehicle" since 21 covers both.

MR. CHAIRMAN: I'll put the question that CLAUSE 20 be amended by the insertion of the words "vessel or" before the word "vehicle" in the third line.

QUESTION PUT: CLAUSE 20 AS AMENDED WAS PASSED

CLERK: CLAUSE 21 FORFEITURE

QUESTION PROPOSED:

HON. J. M. McCOY: Mr. Chairman, just a matter of clarification. In the normal

HON. H. W. McKAY (CONTINUING): line towards the end it says "the court of conviction"- I'm wondering if that is intended or whether it means "the court ON conviction".

HON. DAVID R. BARNICE: Actually, Sir, it could be correct but I think it's improved and made more sensible if we just have the word "on" rather than "of". The phrase "court of conviction" does have a meaning. And while I'm speaking, Sir, if I could just add the word "reasons" needs to be corrected at the table in the second to last line. . .

MR. CHAIRMAN: I'll make both these corrections at the table.

QUESTION PUT: AGREED. CLAUSE 21 AS AMENDED WAS PASSED

CLERK: CLAUSE 22 APPLICATION

QUESTION PROPOSED:

HON. RAIG BODDEN: Mr. Chairman, an amendment has been circulated on Clause 22. The amendment is to delete Clause 22 and substitute the following new clause therefor. It reads: 22 (1) " This Law would not apply to the Crown. (2) "This Law shall not apply to such scientific bodies or persons as the Board may from time to time specifically exempt in writing upon such conditions as the Board may prescribe in each case."

QUESTION PUT: AGREED. CLAUSE 22 STRUCK OUT

MR. CHAIRMAN: I'll now put the question that New Clause 22 as proposed by the mover of the Bill be substituted.

QUESTION PUT: AGREED. CLAUSE 22 AS AMENDED WAS PASSED

CLERK: CLAUSE 23 REGULATIONS

QUESTION PROPOSED:

HON. RAIG BODDEN: Mr. Chairman, an amendment has been circulated requesting that Clauses 23, 24 and 25 be renumbered 24, 25 and 26 so as to make space for the insertion of a new Clause 23. So maybe if the Clerk would call those three Clauses we could have them renumbered, leaving the space for the insertion of the new 23.

MR. CHAIRMAN: I think the procedure is that we go through the clauses as in the Paper and Mover then proposes a new clause. When that is voted in by the House then the Clerk simply renumbers and puts them in the order required.

HON. RAIG BODDEN: Yes Sir.

MR. CHAIRMAN: So we'll take the question on Clause 23

QUESTION PROPOSED:

HON. RAIG BODDEN: Mr. Chairman, just one minute. Could we go back to 21. There was one amendment which the Members had asked for yesterday and that is in 23 (j) that the words "unless and" be put in before "until" so that the form of seines could be prescribed as well as the forms for nets. And it would read (j) "prescribing forms of seines and nets ".

QUESTION PUT: AGREED. CLAUSE 23 AS AMENDED WAS PASSED

CLERK: CLAUSE 24 OFFENCES AND PENALTIES

QUESTION PROPOSED:

MR. BENSTON SMITH: Mr. Chairman, where it reads here "whoever contravenes any provision of this Law or any regulation whether such contravention is or is not stated to be an offence". This doesn't really register with me too much.

MR. GARNETON SMITH (COMMISSIONER): I would suggest that from "whether" down to "offence" be struck out and just read "whoever contravenes any provision of this Law is liable on summary conviction to a fine not exceeding $500 or imprisonment for a term not exceeding six months or both". This "is or is not" is really kind of a puzzle here to me. I don't know how other members feel about it.

HON. HAIG BODDEN: Subject to what the Second Official Member says, I agree with the Member from West Bay. I have never seen this interjected into the penal section before.

HON. DAVID BODDEN: I wouldn't wish to disagree with that, Sir.

HON. HAIG BODDEN: But there would be one correction. We would have to leave in "or any regulations" so that it would read " whoever contravenes any provision of this Law or any regulation is liable".

MR. CHAIRMAN: The proposal is that the words "whether such contravention is or is not stated to be an offence" be deleted from the Clause.

QUESTION PUT. AGREED. CLAUSE 24 AS AMENDED WAS PASSED

CLERK: CLAUSE 25 REPEAL OF LAW 16 OF 1964 and CAP. 58

QUESTION PUT. AGREED. CLAUSE 25 PASSED

MR. CHADDOCK EVANS: Mr. Chairman, I as one Member would certainly appreciate seeing a copy of the regulations covering this before those regulations should go into effect. I think that's one part of the making of the Laws that Members are deprived of knowing what is in the regulations. There have been a lot of heated arguments in the House about such as that and it's less obvious to the public because when a regulation is made like so many people from the public approach me from time to time, "well what is happening about this?" or "the Law says this and this is something else". I say "well, it's a regulation governing the Law", and I say "in most cases I can't tell you what's in the regulations neither until I see it, and again, the regulation can be changed from one day till the next by Executive Council if they feel it's necessary. They can change the regulation just by one word deleting it or adding to it. That takes in everybody. I'm not aware of this happening daily or weekly or monthly, as the case may be until I get a copy of it". So I feel that the controversy that has been on this Bill, which has still got a number of loopholes as far as I'm concerned and I guess it's almost impossible to stop all of them, but I really would like to be in possession of a copy of the regulations before it goes into effect.

HON. CHARLES KIRKCONNELL: Mr. Chairman, I think that is a reasonable request and I think we could probably bring the regulations back to the House.

MR. CHAIRMAN: I think if members don't mind, there is another Clause to be proposed to the Bill. I think we should perhaps dispose of the Bill and then allow the Member to comment on the suggestion on regulations.

HON. HAIG BODDEN: The only thing is Mr. Chairman, I'm wondering if we couldn't go back to 24 and amend that to simply say "the Governor may, subject to affirmation resolution of the House, make regulations" and if the Second Official Member agrees with this or we could lay it on the table.

HON. DAVID H. SAMPSON: All regulations and Laws that are made have to be laid on the table under the Standing Orders. Perhaps prior consultation privately with members would be simpler than requiring a return to the House which really robs the whole effect of giving the Executive Council power to make regulations as it really just brings the whole matter back to the House again. Prior consultation may well be enough but if it is the wish of the House of course that can be added to the Law.

MR. CHAIRMAN: I think we've met this point before by having an assurance from the Members on my right side that before regulations were put to Council that they would consult the other Members of the House and get their comment on them before the regulations were actually made. They are, of course, published in the Gazette immediately afterwards and I hope all Members get copies. The alternative is as the mover of the Bill has suggested.

MR. CARSTON SMITH: I think this is very fair, Mr. Chairman.

HON. HAIG BODDEN: Mr. Chairman, I see no harm in the draft regulations coming to the Members informally of they went before they're passed and then Members would have a chance to have any input they have made a part of the regulations. Would this satisfy the Member?

MR. CRADDOCK BOOKER: Mr. Chairman, it's not what satisfies me, it's what I have got to attempt to do to satisfy the public, the people that I represent. If they're satisfied I will be satisfied; if they're unhappy then it makes me unhappy and I must get into these things to be able to bring to my people so that when they approach me and say, well, we just passed a bill saying you can't drive on the left you've got to drive on the right; when a police says no, you're to drive the other way because the police says the regulation says this. The man in the street doesn't know (which I know they're to blame for a lot of the disinterest) because they'll crowd $% on a bottle of beer but they won't spend 50¢ to buy a copy of the paper to see what is going on in Government with the making and passing of laws and regulations). But at the same time I must protect the public in their interest as far as I can and to the best of my ability. So I will be satisfied with it because I will know then what is being prepared as a regulation to cover the Bill to make the Bill more operative but there could be things that I might't agree with either because, as I pointed out, about selves particularly, the mesh in the screen should be of a size that will not hold small fish for them to be destroyed and those things. I'd like to see some of this myself- what is proposed as standard or size and whatever the regulation means.

MR. CHAIRMAN: I think we can take it that an assurance has been given that Members will see regulations in draft before they are actually made. Does the Member a new clause to propose?

HON. ILLEG BODDEN: Yes, Mr. Chairman, and where it's been circulated I would ask that I just read it one time. This Clause is to make provision for appeals from the Board and it's been circulated so maybe I don't need to read it. I'll read the new Clause- APPEALS AGAINST DECISIONS OF THE BOARD.
"Any person aggrieved by any decision of the Board may within ten days of the receipt of notification of that decision appeal against it to the Governor in Council whose decision shall be final and binding on the appellant.
A decision of the Governor in Council under subsection (1) shall be deemed to be an administrative, and not a judicial decision. No person shall be required to give any reason for such decision nor shall it be questioned in any court of law".

MR. CHAIRMAN: Does all members got this in their possession?

MR. CRADDOCK BOOKER: I haven't got a copy of this, Mr. Chairman.

MR. CHAIRMAN: I think we might suspend for five minutes to allow the Clerk to have it typed and circulated.

HON. HAIG BODDEN: Mr. Chairman, I thought this was circulated on the first day. On Wednesday.

MR. CHAIRMAN: I confess this is the first time I've seen it.....
We'll suspend for five minutes. Members may leave the Chamber if they wish.

MR. CHAIRMAN: Proceedings are resumed.

HON. HAIG BODDEN: Mr. Chairman, I want to apologize to the Clerk and the House. I don't know what happened to the copy that should've gone to the Clerk.

CLERK: NEW CLAUSE 23 APPEALS AGAINST DECISIONS OF THE BOARD

MR. CHAIRMAN: New Clause is deemed to have been read a first time. The Question now is that the Clause be read the second time and Members may speak and move any amendments to it they wish.

MR. CRADDOCK TRUMAN: Mr. Chairman, I am much afraid that I will have to disagree with this proposed amendment.- "Any person aggrieved by any decision of the Board may within ten days of the receipt of notification of that decision appeal against it to the Governor in Council whose decision shall be final and binding on the appellant." Mr. Chairman, I feel that when any man or woman is deprived of their legal rights to represent themselves to the fullest extent, then it's a retrograde step.

If the accused is convicted or found guilty by the Board in their opinion and he is not satisfied he makes his appeal to the Governor in Council and if he is not satisfied with the decision of the Governor in Council then it's very, very unfair to any man or woman to be deprived of the privilege of his rights to take it to another Court. I have stood for that and I will always stand for that that no man should have a bar drawn across his path of seeking his own rights and privileges. Even if it ends up in the Privy Council.

If he's got the money to pursue it and push it, that ought to be his God-given privilege and I cannot, am not going to support these two hundred clauses as proposed.

HON. HAIG BODDEN: Mr. Chairman, I would like to point out that the Board cannot convict anybody of anything. The Board cannot fine anybody or imprison anybody. Any offences committed under this law would be tried in Court where your appeal would be unlimited. The functions of the Board here are purely for granting a license or looking at the general administration of the Law and the Board could not try anybody for any act committed under or against this Law. Any offence against this Law would go to the Court and there would be appeal to the Grand Court and to the Appeal Court and to the Privy Council if the person wanted.

I just want to make that point that the Board only deals here with things like the issuing of a license and if they didn't issue a license they wouldn't convict anybody for that.

MR. CRADDOCK TRUMAN: Mr. Chairman, while I might have used the word "revocation", it still doesn't remove from my eyes what I am here. Whether it be for a licensing or license, for argument'sake if you're going to deal with licensing -he might have had a license and for some reason the might not have paid up or had a license renewed) the Board might say "We're not going to grant you another license", he makes his appeal to the Governor in Council. If they should uphold the decision of the Board against the licensee, then that shouldn't be final. Let his cries be heard, let his grievance be heard.

As I said, Mr. Chairman, I don't and I'm not going to agree when it's here in writing that the final decision (regardless of what it covers) is by Governor in Council. I will know that the Governor in his reasoning can make decisions from that stand but in this case or any similar thing it shouldn't be the final decision by either the Board, the Executive Council,

MR. CRADDOCK BEARNS (CONTINUING): or the Legislative Assembly. It should be through no fur on the appointed appointees minds to take his troubles.

HON. TRUMAN BODDEN: Mr. Chairman, the provision here is exactly the same as it is in the Caymanian Protection Law. The Executive Council also licenses without any appeal, Banks and Trust Companies, and what I wanted to mention here, that this is an administration decision. The giving of licenses is administrative. There is no other procedure in any law here nor any Common Law that I know of in any other country where licenses relating to this sort of thing are put through the courts, because one of the dilemmas that can arise is that while somebody is waiting for this to go through a court, which can take, as the Member from North Side knows, a very long time, then you have to lay down many things - you have to lay down principles on which it can be issued, you have to call evidence and to take this approach and turn this into a judicial decision would really be going off the beaten track.

It is not a new provision. It has been lifted out of the Caymanian Protection Law which grants every other license here and if you attempt to make it subject to an appeal through the courts then the person may never in his life get a license. Meanwhile by the time it reaches Privy Council you're looking at 3 years. I'm just pointing out some of the reasons, Sir, why it has to go through an administrative process rather than a legal process and I believe that you'd be doing more harm in relation to this to force somebody to go through the very large expense through the Courts and the very long periods of time and the formality especially that has to go on there, the refusation of evidence which is sought to under the Evidence Law; I believe that by the time anybody ever came to the end of the court system they won't need a license. I would ask Members to support this because it is not new at all and it only deals with the giving of fishing licenses, nothing else - or rather licenses in relation to these things. It has nothing to do with anything else as I see it.

MR. CRADDOCK BEARNS: Mr. Chairman, if this would be the first Law or Bill to become a Law that Legislature made a mistake on, it wouldn't be too much of a problem, but we have made, and will continue, like any other Country or any other Government, to make mistakes. When we're dealing with many Laws, Bills to become Laws, some of these same things - Land Survey, Protection and Cadastral and all of those, the final decision should be by a Body and not go through Courts. There are people - good, clean, honest people - residents that their land has been attempted to be taken from them that had documents for years and years. The reason they got - the documents were too old.

Mr. Chairman, that's where we all began - by our mistakes. If that's going to be the final that it's got to be this way, it can be that way. I'm only one individual and even though I appreciate the First Elected Member of Executive Council saying and pointing out to me, it still doesn't make it look any brighter or better as for me to agree to it. As I said before I don't intend to agree to it and I am not going to have any more to say.

MISS ANNIE BODDEN: Mr. Chairman, I too, must disagree with this. When the Land Adjudication Law and the Registered Land Law and the Survey Law were being introduced here, there were such problems also. You go to the Land Adjudication, from there you go to the Tribunal and stop there. Well, we fought that for a long time and we succeeded. Now, if we were to agree to this, I feel that we are taking away the fundamental rights of the poorer class, the fisherman class and I could not agree to it. We have to protect the individual as well as the majority and I will never agree to this. When this Land Adjudication Law was in process, had we not stood firm a lot of people would have been worst off than they are today. I have just had to go to Court and that Appeal cost the owner over $10,000.00 to win. If it had been left where it was originally that man would have been deprived of 2/3 of his land; and even now the Government is not satisfied. They want to take it to the Privy Council to defend their rights. So why should an ordinary Caymanian do the same thing?

MISS ANNIE BODDEN (NON-ELECTED): I will never agree to this. If I have the money to take it to the highest Court in the world, the Privy Council, let me go there. If I am underprivileged and have no money I must accept what is given to me but I am not going to be one who will be responsible to deprive any man of his democratic rights. I disagree with this 100%. .....

CAPT. K. E. ROBERTS: Mr. Chairman, I can only agree with the First Elected Member of Executive Council in his explanation. I cannot agree with the Member from North Side and the Member from George Town in this matter. If I understand this right, that this is an appeal from the decision of the Board, it's not an appeal from Court, it's an appeal from the decision of the Board and it's just the same as the Development Control Board or the Central Planning Authority - The decision from that Board can be appealed to a tribunal. The only difference is that this is going to be appealed to Executive Council and I think, as far as I am concerned it's a good move rather than to have to go to Court, pay Lawyers and fight your case whereas if it goes to Executive Council it won't cost anybody anything. Understanding that it is a decision of the Board, I am prepared to support it.

MR. CHAIRMAN: Any other Members wish to speak? Does the Honourable Mover wish to say anything in reply?

HON. NAFF DOBDEN: No, Mr. Chairman.

MR. CHAIRMAN: I'll put the question that the new clause be read the second time.

QUESTION PUT: AYES AND NOES:

MR. CHAIRMAN: I think the Ayes have it.

THE NEW CLAUSE WAS GIVEN A SECOND READING.

MR. CHAIRMAN: The question now is that this clause be inserted in the bill as new clause 38 and the ensuing clauses 38, 34 and 35 be respectively renumbered as clauses 34, 35 and 36.

QUESTION PUT: AYES AND NOES.

MR. CHAIRMAN: I think the Ayes have it.

NEW CLAUSE INSERTED AND SUBSEQUENT CLAUSES RENUMBERED.

CLERK: A LAW TO PRESERVE TO PRESERVE THE NATURAL AMENITIES OF THE TERRITORIAL WATERS OF THE ISLAND

QUESTION PUT: AYES AND NOES. BILL PASSED

MR. CHAIRMAN: That concludes proceedings on the Bill intituled THE MARINE CONSERVATION LAW, 1978.

THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS INCORPORATION LAW, 1978

COMMITTEE THEREON

CLERK: CLAUSE 1. SHORT TITLE AND COMMENCEMENT
CLAUSE 2. INTERPRETATION
CLAUSE 3. CONSTITUTION OF INCORPORATION AND OFFICERS THEREOF

MR. CHAIRMAN: The question is that clauses 1 to 3 do stand part of the Bill.

QUESTION PUT: AGREED. CLAUSES 1 to 3 AGREED

CLERK: CLAUSE 4. SIGNING OF COMMON OF THE CORPORATION
CLAUSE 5. VESTING OF PROPERTY
CLAUSE 6. POWERS OF CORPORATION
CLAUSE 7. SAVING OF RIGHTS

MR. CHAIRMAN: The question is that Clauses 4 to 7 do stand part of the Bill.

QUESTION PUT: CHAIRMAN: CLAUSES 4 TO 7 PASSED

CLERK: A LAW FOR THE INCORPORATION OF THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS AND FOR THE VESTING OF CERTAIN PROPERTY IN THE BODY SO INCORPORATED

MR. CHAIRMAN: The question is that the title do stand part of the Bill.

QUESTION PUT: AGREED. THE TITLE WAS PASSED

CLERK: THE PREAMBLE

MR. CHAIRMAN: The question is that the Preamble do stand part of the Bill.

QUESTION PUT: AGREED. THE PREAMBLE WAS PASSED

MR. CHAIRMAN: That concludes the examination of the Bill intituled The New Apostolic Church of the Cayman Islands Law, 1978 and concludes our proceedings in Committee.

THE HOUSE RESUMED

MR. PRESIDENT: Proceedings are resumed.

THE COMPANIES (AMENDMENT) LAW, 1978 REPORT THEREON

HON. V. G. JOHNSON: Mr. President, I have to report that a Bill entitled "The Companies (Amendment) Law, 1978" was considered clause by clause by a Committee of the whole House and passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THE PENAL CODE (AMENDMENT) LAW, 1978

REPORT THEREON

HON. DAVID E. BODDEN: Mr. President, I have to report that a Bill entitled "The Penal Code (Amendment) Law, 1978" was considered clause by clause by a committee of the whole House and passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for Third Reading.

THE FISHING VESSELS (SAFETY PROVISIONS) LAW, 1978

REPORT THEREON

HON. NAIL RUTLEY: Mr. President, I have to report that a Bill entitled "The Fishing Vessels (Safety Provisions) Law, 1978" was considered by a committee of the whole House and passed with two (2) minor amendments which were made at the table.

MR. PRESIDENT: The Bill is accordingly set down for Third Reading.

THE MARINE CONSERVATION LAW, 1978

REPORT THEREON

HON. C. HAIG BODDEN: Mr. President, I have to report that a Bill entitled "The Marine Conservation Law, 1978" was considered by a Committee of the whole House and passed with the following amendments:-

Clause 1 amended to add the figures '1978' to the title.

Clause 2 amended (a) by deleting the definition "Cayman Waters" and substituting the following new definition therefor: "Cayman waters means the territorial waters of the Islands and includes the inland waters thereof".

(b) Substituting capitals at the beginning of the two words 'Fishery Inspector'. This was made at the Table.

(c) By correcting a spelling error in the word 'creatures' as it appeared in the definition of 'Marine Life'. This was also made at the Table. (d) By adding the word 'kill' immediately following the words "means to take" where they appear in the definition "take, catch".

Clause 3 amended (a) in Sub-clause 1 by the substitution of the word 'eight' for the word 'five'. And

(b) By the addition of the following words thereto: "Three of the members so appointed shall be residents of the Lesser Islands".

Sub-clause 5 was amended to read "The Board shall reach its decision by a majority vote of the members provided that the Chairman shall not have an original vote but in the event of a tie shall have a casting vote".

Clause 6 amended by inserting immediately following the word 'any' in Paragraph (b) thereof, the words 'member of any'.

Clause 7 - The Marginal Note was amended by adding the letter "s" to the word "class".

Clause 8 was deleted and replaced with a new clause which reads:

(1) "Any person who takes from Cayman waters in any one day more than five spiny lobsters (Panulirus argus) of or exceeding 5½ inches carapace length or six inches tail length is guilty of an offence".

(2) "Any person who permits or causes to be caught from or landed onto any vessel in any one day (a) more than five lobsters of the kind referred to in sub-section 1 for each person on board such vessel or (b) fifteen such lobsters whichever be the lesser number shall be guilty of an offence.

Clause 9 was deleted and replaced by a new Clause 9 which reads:

(1) "Any person who takes from Cayman Waters in any one day more than fifteen conch commits an offence: provided however that the Board may by notice in the Gazette suspend the operation of this sub-section from time to time in such area or areas as it may specify in such notice".

(2) "Any person who causes or permits to be landed onto any vessel in Cayman waters more than twenty conch in any one day commits an offence".

(3) "Any person who in any one day purchases or receives more than twenty conch taken from Cayman waters commits an offence".

Clause 14 amended to read: (a) 'By any person to take for human consumption (1) not more than six fish per day (2) five lobsters or less in accordance with section 8 in any area other than a marine park or in a restricted marine area or

(b) Under the written authority of the Board is permitted'.

HON. O. BAIG BOCHKH (MONTSERRADO):

Clause 20: The words 'permit or' were inserted before 'vehicle' in line 8.

A new Clause 23 inserted in the Bill reads:

(1) "Any person aggrieved by any decision of the Board may within ten days of the receipt of notification of that decision appeal against it to the Governor in Council whose decision shall be final and binding on the appellant".

(2) "A decision of the Governor in Council under sub-section 1 shall be deemed to be an administrative and not a judicial decision. No person shall be required to give any reason for such a decision nor shall it be questioned in any Court of Law".

The remaining clauses were subsequently renumbered.

The new Clause 24 amended in (1) to add the words "reckless and" before "wanton" as they appear in the first line of (1).

Clause 35: The following words were deleted : "whether such contravention is or is not stated to be an offence.".

MR. PRESIDENT: The Bill is accordingly now down for Third Reading.

THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS (INCORPORATION) LAW, 1979

RAPHAT THAPSON

HON. DALMAIN EBANKS: Mr. President, I have to report that a Bill entitled "The New Apostolic Church of the Cayman Islands (Incorporation) Law, 1979" was considered by a committee of the whole House and passed without amendment.

MR. PRESIDENT: The Bill is accordingly set down for a Third Reading.

THIRD READINGS

CLERK: THE COMPANIES (AMENDMENT) LAW, 1979

MOVED BY: HON. V. G. JOHNSON

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING

CLERK: THE PENAL CODE (AMENDMENT) LAW, 1979

MOVED BY: HON. DAVID F. SEPWICK

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING

CLERK: THE FISHING VESSELS (SAFETY PROVISIONS) LAW, 1979

MOVED BY: HON. HAIG BODDEN

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING

CLERK: THE MARINE CONSERVATION LAW, 1979

MOVED BY: HON. HAIG BODDEN

QUESTION PUT: AGREED. BILL WAS GIVEN A THIRD READING

CLERK: THE NEW APOSTOLIC CHURCH OF THE CAYMAN ISLANDS (INCORPORATION) LAW, 1979

MOVED BY: MR. DALMAIN D. EBANKS

QUESTION PUT: AGREED, BILL WAS GIVEN A THIRD READING

GOVERNMENT MOTION NO. 6, CARIBBEAN DEVELOPMENT BANK - ACQUISITION OF MORTGAGES

HON. V. G. JOHNSON: Mr. President, I formally move Government Motion No. 6 which reads "WHEREAS Caribbean Development Bank agreed to acquire certain mortgages over the properties of participants in the Cayman Islands Secondary Mortgage Scheme from the Cayman National Bank or the Government of the Cayman Islands agreeing (i) The payment by individual mortgagees of that proportion of their respective loans which command normal lending. (ii) To give certain safeguards against the possibility of variation in currency rates reducing the value of the security afforded by the mortgages; and whereas the form and provisions of the instrument of the guarantee have been agreed by and between the Caribbean Development Bank and the Government, now therefore, be it resolved as follows: that the authority of the Government of the Cayman Islands to give guarantee in the form and for the purposes hereinbefore referred to is hereby confirmed and ratified in the name and on behalf of the Government and people of the Cayman Islands."

HON. V. C. JOHNSON (CONTINUING): Mr. President, perhaps there needs to be some explanation as to the reason for this Motion. Caribbean Development Bank in their Aid Programme to their many member territories have devised many schemes. The first of such schemes to be adopted by the Cayman Islands was the Student Loan Scheme and that scheme has operated quite well. The first sum of money which was placed at the disposal of the Cayman Islands was in the sum of $50,000.00 and that sum has now been allocated and awarded to students in various fields. There is also a Small Industry Credit which is now being examined by the Cayman Islands for adoption and also an Agricultural Development Scheme.

There is this other scheme the Secondary Mortgage Scheme, which was extended to the Cayman Islands and this scheme in what would be known in some other countries as a Low Cost Housing Scheme. In the Cayman Islands we endeavoured to keep away from that term because to us the opinion that it denotes a depressed area and we did not want to use that term in the Cayman Islands. And so the Bank was good enough to examine this once the years and come up with the Secondary Mortgage Scheme which serves the same purpose.

The Bank decided that they would select the institution in the Cayman Islands which would represent it in this scheme. At first we made recommendation that the Government Savings Bank would be the institution to do so but the argument was that under the Secondary Mortgage Scheme the institution representing the Bank in the Cayman Islands would have to approve of these schemes and they would have to advance the money. It is only after the Bank was satisfied with the mortgage negotiated by the local institution that it would buy these mortgage under this Secondary Mortgage Scheme. And therefore they proposed that the institution in the Cayman Islands (that is the local institution) should be a commercial institution, not a Government institution, and they themselves selected the only Cayman bank that there was Cayman National Bank and Trust Co.

The scheme has been in operation now since early last year. So far, they have approved of 27 applications, 24 of these have been finally approved and the money lent. The amount of funds involved in these 27 applications is in the vicinity of $340,000.00. The unit which one loan can build is a two-bedroom house costing something in the vicinity of $10,275.00. This includes the land. The term of the loan is 20 years and the rate of interest is 8%. 10% is still in being our usual normal rate of loan, the local rate of loan). The scheme itself, Mr. President, is financed by Caribbean Development Bank to the sum of 80%. In the past they have increased their proportionate part to 90%. The balance of it is financed by the applicant and his local institution. The Government has never been called upon to make any contribution in this scheme. The guarantee which Government gives to the Bank is not really to make a contribution of the 10% top-up in the scheme but it is to insure (1) That 10% of the mortgage money is repaid to the bank, and (2)That there is a guarantee that the total sum of money of the mortgage is repaid to the Bank, and this is against currency fluctuation.

The money is denominated by the Bank in U.S. dollars and when it goes to the Cayman Islands of course it's converted to local currency. What the Bank is saying is that over the years, if there is a currency devaluation, the Government of the Cayman Islands must guarantee the Bank that it will pay the full amount of the mortgage. In other words, any short-fall caused by a devaluation of the currency must be paid by the Government of the Cayman Islands. But by the same token the agreement says that if there is a re-evaluation of the Cayman dollar and a certain amount of Cayman dollars can produce more U.S. dollars than the value of the mortgage then the difference is paid to the Government of the Cayman Islands. So it works both ways.

Apart from that, Caribbean Development Bank has decided under this agreement of guarantee covering currency fluctuation, a fee of 1% of the outstanding loan, (the amount of loan on which interest would be calculated by the Bank), and that sum of money is paid to the Government on an annual basis. Government has not yet decided how to treat this but it is very

HON. V. O. ADDISON (GOVERNMENT): likely that the recommendation will be that it should be put to a fund . . . in case that any time the Government has to honour the guarantee then it will have sufficient funds to do so and funds which will not come from the revenues of this island but it will come from the scheme itself from the 1% fee which Caribbean Development Bank is going to pay to the Government.

That is broadly the reason for this Motion (1) That the Government approves of the guarantees (2) the payment by individual mortgagor of that proportion of their repayment loans which carried normal banking. I should say that in each case the Government's liability is discharged by the first payment made on the loan. In other words, if a thousand dollars was borrowed and the mortgagor repaid $110, the Government's liability would have been discharged from that particular loan because 10% of the loan would have already been paid and the Government's liability is in the first 10% of the repayment.

In all, Mr. President, the arrangement is all to the benefit of the Cayman Islands. The Bank has made it quite simple and quite straightforward and quite easy for these loans to be administered. And of course the second guarantee is regarding currency fluctuation which I related a little while ago. As I said, the Scheme has been in operation for quite some time. The Bank is now come forward and said that in order for it to continue, they would, of necessity, require these guarantees and especially the guarantee on currency fluctuation. This is the reason why you are now asked today to agree to this Motion so that the Government can prepare the guarantees and forward to the Bank. In the meantime, they have been good enough to continue operating the scheme, examining applications and approving of them and releasing the funds. I therefore ask you to view it with your kind consideration and approve the Motion as it is put forward here.

MR. PRESIDENT: The question is that the authority of the Government of the Cayman Islands to give guarantee in the form for the purposes set out in the preamble to the Motion be hereby confirmed and ratified in the name and on behalf of the Government and people of the Cayman Islands. The Motion is open for debate.

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 2 PASSED

ADJOURNMENT

MOVED BY HON. M. M.McCOY

QUESTION PUT: AT 11.50 A.M. THE HOUSE ADJOURNED UNTIL TUESDAY 19th OR WEDNESDAY SIXTH AS NOTIFIED BY THE CLERK, AT 10.00 A.M.

THIRD MEETING OF THE (1979) SESSION OF THE LEGISLATIVE ASSEMBLY HELD ON THURSDAY, 13th SEPTEMBER, 1979

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. PRESIDING

GOVERNMENT MEMBERS

HON. H. M. McCOY, M.B.E., B.E.M.	FIRST OFFICIAL MEMBER (TEMPORARY)
HON. DAVID F. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN BODDEN	MEMBER FOR HEALTH, EDUCATION AND AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. RUTTAN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLYN EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE H. RUTTAN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K. P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE SISTER ISLANDS ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN McCLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDER OF THE DAY

FOURTH DAY

OF THE THIRD (1978) SESSION OF THE LEGISLATIVE ASSEMBLY

TUESDAY, 12th SEPTEMBER, 1978

10 a.m.

1. GOVERNMENT BUSINESS:-

THE NADGIGENOO SPECIES PROTECTION AND PROPAGATION LAW, 1978

REPORT THEREON: BY HON. G. MAIC BODDEN

THIRD READING.

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TUESDAY, 12th SEPTEMBER, 1978

10.00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

THE ENDANGERED SPECIES PROTECTION AND PROPAGATION LAW, 1978

REPORT THEREON

HON. G. MAIN MORDEN: Mr. President, I have to report that on the 11th of September a select committee of the whole House examined the Bill entitled The Endangered Species Protection and Propagation Law, 1978 and passed it with certain amendments.

Before delivering the amendments, I should mention two points that came up in the examination of the Bill which are very relevant to the Bill, and that is that the Members were supplied with a list of 48 Countries which have become a part of the International Convention. Amongst these countries, Nicaragua is listed; in other words, Nicaragua has become a recent member of the Convention. The second point is that Members were concerned that if this Bill goes into Law it would find certain residents with turtle products, namely shell, in their possession and Members were concerned that these residents would be allowed to dispose of this shell. And I would like to give the House the assurance that under Section 4 of the Bill, the Governor in Council can grant a license to these people to dispose of this shell so that there should not be any undue hardship.

The amendments to the Bill were as follows:

Clause 4 was amended by making Clause 4 into Clause 4 (1) which reads:- "Section 3 has no application to live or dead animals or plants the subject of a license issued by the Governor." Adding Subsection (2) which reads:- "For the avoidance of possible doubts it is hereby declared that Section 3 has no application to the bringing into the Islands of turtles taken within the fishery limits of the Islands if taking such turtles is customary and traditional and the turtles are intended only for consumption by persons within the Islands.".

Clauses 7 and 8 were deleted from the Bill.

Clause 9 was amended to read: "The Governor may make regulations prescribing -

(a) the forms to be used for the purposes of this Law;
(b) fees upon application and the grant of licenses;
(c) for the making and certification of products produced under license;
(d) amendments to the Schedule; and
(e) such other matters as may be desirable for the implementation of this Law".

Clause 10 was amended to read: "Whoever -

(a) contravenes Section 3;
(b) makes any statement orally or in writing or propounds any document in the truth of which he does not believe for the purpose of obtaining a license or other advantage under this Law, the onus of showing his belief being upon him;
(c) handles, deals in or has in his possession any animal or plant introduced into the Islands in contravention of Section 5;
(d) contravenes any term or condition of a license granted to him under this Law,

be guilty of an offence and liable on summary conviction to a fine not exceeding $800 or to imprisonment for a term not exceeding two years or both".

HON. G. HAIG BODDEN (CONTINUING): Sub-section (e) was deleted from Clause 10. Before the deletion of Sub-section (e) it had been amended to read: "Not being the holder of a license disturbs or molests or attempts to disturb or molest a female turtle during the months from May to September inclusive or, not being the holder of a license under section 8, takes or has in his possession any turtle eggs".

The reason for the deletion of this Bill was that the Committee was of the opinion that this matter could better be taken care of under The Marine Conservation Law recently passed. The feeling of the Committee was that Section (e) of Clause 10, which was deleted from the Endangered Species Law, could be put into the Regulations of The Marine Conservation Law when these regulations are made shortly.

Clauses 9, 10 and 11 were renumbered as Clauses 7, 8 and 9.

The Title was amended to read:-
"A LAW TO RESTRICT THE IMPORTATION AND EXPORTATION OF CERTAIN ANIMALS PLANTS AND ARTICLES AND FOR CONNECTED PURPOSES."

These were all the amendments.

MR. PRESIDENT: The Bill has been duly reported from the Select Committee. It now falls under Standing Order 58 (8) for the motion to be moved that the report of the Select Committee on The Endangered Species Protection and Propogation Law, 1970 be adopted.

ADOPTION OF COMMITTEE'S REPORT - STANDING ORDER 58(8)

HON. G. HAIG BODDEN: Mr. President, I beg to move that the Report of the Select Committee on The Endangered Species Protection and Propogation Law, 1970 be adopted.

MR. PRESIDENT: The question is that the Report of the select committee on The Endangered Species Protection and Propogation Law, 1970 be adopted. The motion is open for debate. If there's no debate I'll put the question.

COMMITTEE'S REPORT ADOPTED

QUESTION PUT: AGREED. BILL MAY NOW GO FOR THIRD READING

THIRD READING

CLERK: The Endangered Species Protection and Propogation Law, 1970.

HON. G. HAIG BODDEN: Mr. President, I move that a Bill entitled The Endangered Species Protection and Propogation Law, 1970 be read a third time and passed.

MR. PRESIDENT: The question is that the Bill entitled The Endangered Species Protection and Propogation Law, 1970 be read the third time and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

ADJOURNMENT

HON. H. M. McCOY: Mr. President, the business of the day having now been completed, I beg to move that the House stands adjourned sine die.

MR. PRESIDENT: The question is that this House do now adjourn.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED SINE DIE AT 10.15 A.M.

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON WEDNESDAY, 15TH NOVEMBER, 1978

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.M.G. PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. DAVID H. BARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V.C. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN M. BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE AND NATURAL RESOURCES
HON. CHARLES D. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

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MR. JOHN CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHERLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE E. BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K.P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDER OF THE DAY

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
COMMENCING WEDNESDAY 16TH NOVEMBER, 1978

1. PRAYERS BY THE REV. RALPH PICKERING

2. REPORT OF THE STANDING PUBLIC ACCOUNTS COMMITTEE – LAID ON THE TABLE BY CHAIRMAN –MISS ANNIE HULDAH BODDEN (OF GEORGE TOWN CONSTITUENCY)

ADOPTION OF COMMITTEE'S REPORT - MOVED BY CHAIRMAN - MISS ANNIE HULDAH BODDEN

3. QUESTIONS: –

MISS ANNIE HULDAH BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES

(i) Will the Member state if the Hospital is supplied with sufficient quantities of Bed Linens, Towels, Pillows,etc.

(ii) Will the Member state if consideration is being given to the reinstitution of the post of Hospital Administrator at the George Town Government Hospital in 1979?

(iii) Will the member state the number of prisoners from these Islands presently serving terms in Jamaica –

(a) number of women and number of men
(b) number of juveniles in approved school.

4. GOVERNMENT BUSINESS: -

(i) DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1979- TO BE LAID ON THE TABLE BY THE HONOURABLE THIRD OFFICIAL MEMBER (FINANCIAL SECRETARY)

(ii) BILLS:-

(a) The Appropriation (1979) Law, 1978 - FIRST AND SECOND READINGS (FINANCIAL STATEMENT BY THE HONOURABLE THIRD OFFICIAL MEMBER (FINANCIAL SECRETARY)
(b) The Petroleum Handling and Storage (Amendment) Law, 1978 - 1ST & 2ND READINGS
(c) The Agricultural and Industrial Aid Law, 1978 – 1ST & 2ND READINGS
(d) The Land Holding Companies Share Transfer Tax (Amendment) (No.2) Law, 1978 - 1ST & 2ND READINGS
(e) The Traffic (Amendment) Law, 1979 - 1ST & 2ND READINGS

GOVERNMENT MOTION NO. 9 - CAYMAN AIRWAYS, LTD. TO BE MOVED BY HON. JAMES M. BODDEN

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WEDNESDAY, 18TH NOVEMBER, 1970

10:00 A.M.

MR. PRESIDENT: The Assembly is in Session, I shall ask the Hon. Pickering to say Prayers.

PRAYERS

REV. RALPH PICKERING: 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, the Queen Mother, 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 Members of Executive Council and Members of the Legislative Assembly that they may be enabled faithfully to perform the responsible duties of their high office.

All this we ask for Thy great Name's sake.

Let us join to repeat together the Lord's Prayer.

Our Father, which art in Heaven, Hallowed be Thy Name, Thy Kingdom come, Thy will be done in earth as it is in Heaven. Give us this day our daily bread: And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation, but deliver us from evil: For thine is the Kingdom, the power, and the glory, for ever and ever. Amen.

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

REPORT OF THE STANDING PUBLIC ACCOUNTS COMMITTEE LAID ON THE TABLE

CLERK: Report of the Standing Public Accounts Committee.

MISS ANNIE E. BODDEN: Mr. President, I beg leave to lay on the Table the Report of the Standing Public Accounts Committee of this Assembly.

MR. PRESIDENT: The Clerk shall record in the Minutes that the Report has been duly presented.

ADOPTION OF THE REPORT

MISS ANNIE E. BODDEN: Mr. President, I beg to move the adoption of this Report. I should like to speak briefly on the Report.

We, as a standing committee met on three different occasions to deal with the accounts of this Government. The committee held meetings on the 22nd of August, 1970, the 28th of August, 1970 and the 12th September, 1970 and the details were carefully considered. There was in attendance the following persons who gave valuable information and assistance:- The Honourable V.C. Johnson, OBE., (Financial Secretary); Mr. Thomas Jefferson, (Acting Financial Secretary); Mr. Barclay Coe (Acting Collector of Customs); Capt. Mal Miller (Controller of Office Services); Mr. Colford Scott (Acting Chief Engineer) and Mr. Peter Rolle, Manager of Government Savings Bank. The Collector of Customs was to have attended, but was ill.

The Chief Accountant and the Internal Auditor, Messrs. Monteriffe and Burleton also attended and were helpful in explaining the various points raised for discussion.

The Committee records its appreciation to those who gave valuable assistance.

MISS ANNIE H. BODDEN (CONTINUING):

Certain recommendations were made as disclosed by the Report, and we found these Accounts to be in good order, and we went very thoroughly into the matter. We made certain recommendations, and these have all been circulated. We made a proposal that in future the Internal Audited Accounts of the George Town Public Library should also be examined by the Public Accounts Committee, but that prior to this, a valuation of the equipment in the Public Library should be undertaken.

Mr. President, with these brief remarks I should like to ask that this Report be adopted. Thank you, Sir.

SECONDED BY: MR. CRADDOCK EBANKS.

MR. PRESIDENT: Accordingly, under Standing Order 73(6) I shall put the question without further debate.

QUESTION PUT: AGREED. THE COMMITTEE'S REPORT WAS ADOPTED.

QUESTIONS

MISS ANNIE H. BODDEN OF GRAND TOWN TO ASK THE HONOURABLE MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

(1) Will the Member state if the Hospital is supplied with sufficient quantities of Bed Linens, Towels, Pillows, etc.?

(2) Will the Member state if consideration is being given to the reinstitution of the post of Hospital Administrator at the George Town Government Hospital in 1979?

ANSWER:

1. YES.
2. YES.

SUPPLEMENTARIES:

MISS ANNIE H. BODDEN: A supplementary. Is it proposed that this Administrator be appointed in the immediate future?

HON. TRUMAN M. BODDEN: Provision will be made subject to the Finance Committee's approval for expenditure for this coming year, and we would hope that the Personnel Department would appoint as soon thereafter as possible.

MR. CRADDOCK EBANKS: A supplementary, Mr. President. Could the Member state at this time as to whether it would be a doctor in the medical profession as an administrator or an outside individual qualified in the field of an administrator dealing with hospitals?

HON. TRUMAN M. BODDEN: I would hope, Sir, that at least one of the qualifications that the Personnel Department would ask for would be, Sir, the qualification as a Hospital Administrator as such. If it can be a doctor's qualification along with that, then that would be added to it, but I think it is important that he be a Specialist in administration as such, Sir.

(3) Will the Member state the number of prisoners from these Islands presently serving terms in Jamaica -

(a) number of women and number of men

(b) number of juveniles in approved school.

ANSWER:

(a) 6 women 29 men

(b) 5

MR. PRESIDENT: If there are no supplementaries I think we can pass on to Government Business. The Clerk will take us through the remaining items on the Order of the Day.

DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1979 - LAID ON THE TABLE

HON. V.C. JOHNSON: Mr. President, I beg to lay on the Table of this Honourable House the Draft Estimates of Revenue and Expenditure for the year 1979.

MR. PRESIDENT: So ordered.

THE APPROPRIATION (1979) LAW, 1979
FIRST READING

MR. PRESIDENT: A Bill entitled "The Appropriation (1979) Law, 1979" is deemed to have been read the First Time and is set down for a Second Reading.

SECOND READING

HON. V.C. JOHNSON: Mr. President, I beg to move the Second Reading of a Bill entitled "The Appropriation (1979) Law, 1979".

BUDGET ADDRESS

DELIVERED BY

THE HONOURABLE V. G. JOHNSON, O.B.E.

FINANCIAL SECRETARY

TO

THE LEGISLATIVE ASSEMBLY

AT THE

BUDGET SESSION FOR THE YEAR 1979

HELD ON THE 15th NOVEMBER, 1978

Mr. President,

Each year the Budget Speech is presented with the intention of conveying to this Honourable House an accurate account of the financial affairs of Government and the state of the economy. This not only serves to keep the people of this country informed of Government's spending and its various programmes, but also to rebut any misinformed criticism which has been levied at Government and the economic performance. As Financial Secretary it is now my pleasure to present the annual Financial Statement for 1979 with brief comments on the current year 1978.

The Year 1978

The Economy

The economy of these Islands is based largely on activities in the financial industry, tourism, men working on ships abroad, construction, real estate business, the oil transfer operation at Little Cayman and local industries. These provide the sources from which the country meets its financial obligations. An economy like ours moves from a slow pace of activities in a recession to an accelerated pace in an improved situation. However, the recovery is influenced by local conditions especially the political atmosphere.

There is optimism in the economic future of these Islands as long as stability is maintained. However, since economic activities in these Islands tend to be controlled by external factors, the performance and duration depends on the industrial nations and how well they can control the fundamental problems mainly in the areas of unemployment, inflationary pressures and confidence in Government. Our Consumer Price Index has risen approximately 5 per cent over the past year which is much lower than those of the industrial countries.

The Financial Industry

a) Banking

In 1978 it has been encouraging to see a number of large international banks applying for new licences to conduct offshore business. It is unfortunate that a very small number of financial institutions were pessimistic towards a rebound of the economy and an enlargement of the financial community but these predictions have proven false. It is expected that the year-end will show a 10 per cent increase in bank and trust company licences over the 1977 figures, reaching a total of 200. There is no doubt that political stability and our close association with Britain coupled with the efficiency of the financial community gives well-founded confidence to banks seeking an appropriate centre for euro-currency transactions. Government licence fees should produce in 1978 revenue of CI$1.6 million for the year and in 1979 $1,675,000.

Confidence is an important asset and this Government intends to safeguard it.

b) Secondary Mortgage Scheme

A low cost housing mortgage scheme operated by Cayman National Bank and Trust Co. Ltd., with funds provided by Caribbean Development Bank is now well established. Government has given its support by guaranteeing the difference between 80 per cent and 90 per cent of the property value in approved cases, and also agreeing to be responsible for any exchange risk to Caribbean Development Bank, who are supplying U.S. dollars in support of C.I. dollar mortgages. This operation will be monitored closely in the coming year.

In the Secondary Mortgage Scheme, Government makes no cash contribution towards the mortgage. The 10 per cent guarantee is in respect of the repayment of the principal sum borrowed and Government's liability in this respect is discharged when the first 10 per cent of the capital sum is repaid. So far 22 mortgages totalling CI$260,000 have been granted and a further 12 amounting to approximately CI$180,000 are being processes. In order to aid the expansion of the local economy it is important that expansive mortgage schemes be made available.

c) Companies Registration

The year 1978 has experienced a remarkable increase in new companies. For the period January to September, 1401 new companies were registered: this represents a 21.9 per cent increase over the same period the previous year. Of the 1491 new companies, 1356 are offshore. At the end of September 1978 there were 9153 companies on the Register made up of 3935 exempt, 4985 ordinary and 232 foreign companies.

This rate of growth is expected to continue through 1979. The revenue for 1978 is estimated at $2,550,000 and for 1979 $3 million.

d) Ship Registration

There is still considerable interest in the subject of ship registration and this Government has now made positive approach to the British Government requesting guidance and assistance for the establishment, at the earliest possible time, of a comprehensive ship registry in the Cayman Islands. There were however, earlier indications that the United Kingdom would go along with the proposal for an improved registry here provided it was structured on British standards and provided the Cayman Islands prepared acceptable legislation and employed the necessary expertise to enforce such legislation. When these requirements are satisfied the British Government would extend to the Cayman Islands the various International Conventions such as "Safety of Life at Sea" and "Load Line".

In the meantime ships continue to register here. At the end of September 1978 there were 326 ships on the register with a total of 180,200 gross tons or 98,945 registered tons. Revenue in 1978 will exceed the estimate of $30,000 by about 25 per cent. The estimate for 1979 is $80,000: this large increase is in anticipation of the improved registry and the attraction of bigger ships on the register. This will encourage the younger generation to follow in our national heritage and provide Government an additional revenue from a hitherto untapped source.

e) Patents and Trade Marks

The Patents and Trade Marks Law came into effect in early 1976 and since then 300 Trade Marks and one Patent have been registered. Registration this year fell below that of 1977. The estimate for 1979 is based on 40 applications at $75 each or $3,000.

g) Marriages, Births and Deaths

In mid 1978 the Register of Marriages, Births and Deaths was transferred from the Post Office Building to the Administration Building as a Section of the Registrar of Companies Office.

Following this the Marriage Law was amended and the Registrar General's Law dealing with births and deaths was repealed and replaced by a new law and the Registrar of Companies appointed Registrar General under the new law.

The service to the public has improved and because of this requests for certificates increased in 1978. Fees were revised upwards and as a result the revenue estimates for 1979 is $3,000.

Tourism

For the first eight months of 1978, tourist arrivals by air increased by 14.7 per cent and cruise ship visitors by 8.8 per cent. A very significant factor is that most of the large increases in 1978 have been during the off-season period from April and this is due mainly to the new comprehensive approach to advertising and public relation. Tourism is now contributing significantly to the Islands' economy and to Government's revenue. The industry provides approximately one third of the gross national product or $18 million.

The year 1978 is seen as the finest ever for tourism as growth exceeded even our very ambitious marketing forecast target of a 10 per cent increase. Much credit for this performance goes to the sales, advertising and public relations personnel who have work extremely hard to produce such results. The new Houston route by Cayman Airways which was inaugurated on the 29th October, is expected to generate new business and cause a big boost to future tourist arrivals. In the meantime attempts are made to improve and increase hotel accommodation to meet demand.

Earnings by Seamen

One area of the economy which is not very often mentioned in recent time, but which continues to have prominence in the life of Caymanians, is men working on ships at sea and the income which is derived therefrom. There was a time, especially from World War II to the late 1960s when the income from this source was the mainstay

of the economy. Caymanians are traditionally first class seamen, a reputation which remains unchallenged.

There is still a contribution to the economy from seamen. Looking at the performance for the period from 1965 when tourism and the financial industry took the lead, we find that in 1965 there were about 500 men at sea contributing approximately US$1.67 million. In 1970 the number fell to 300 men with a contribution of US$1.51 million. In 1977, the year for which the latest figures are available, the number of men at sea further reduced to 170 with the income at US$1.52 million. Although the number of men at sea reduced significantly over the 12 year period, because of growth in other areas of the local economy which attracted them for employment in other fields, income remained at practically the same level due to constant rise in wages. It is hoped that in the coming years a maritime academy will be established to train our young men in the art of seamanship, thus maintaining the high standard upon which our reputation has been built.

Construction

The construction section which was the weakest area of the economy during the years 1975 to 1977, according to information from the Department of Planning, indicated a substantial increase in activities again in 1978. The contribution of this sector is quite substantial as it provides employment for the professional, the skilled and the unskilled. Secondly, the materials used in construction are imported, therefore Government benefits in the form of increased customs revenue. Other areas also benefit by the increased spending power of those employed. Construction is certainly one area of the economy that can suddenly create or alleviate potential economic stress.

The value of applications approved during the first half of 1979 is $7.85 million. The main areas are Hotels $5.3 million and Residential $1.8 million. This can certainly be attributed to the passing of the new Development Plan and to the new approach embodied in the Development and Planning Law recently enacted.

Real Estate Business

This area of the economy has also experienced increased activities in 1979. Strata lots, formerly known as condominiums, are becoming increasingly popular with developers and attract considerable foreign investment in the purchase of lots. To date there are over 300 strata lots. There have also been quite a number of large size deals in property transfers in various sectors of business which have brought handsome amounts of stamp duty to Government. The value of land transfers for the first nine months of the year amounted to approximately CI$14 million which produced $1.1 million in stamp duty.

Oil Transfer Operation

The ship to ship oil transfer operation at Little Cayman has since mid 1978 stepped up in the volume of business. It is seen that this trend will continue through 1979 and could very well double the 1978 estimated CI$300,000 provided the operation is not hampered by delays as a result of inclement weather from northwesters and hurricanes. At the present time there are about 40 local persons fully employed in the operation at very good salary which should serve as an encouragement to our young men to take up the sea as a career.

On the 3rd April, 1978 Cayman Energy Ltd., operators of the ship to ship oil transfer business at Little Cayman, were awarded a franchise by this Government to construct and operate a shore terminal on Little Cayman with a total storage capacity of 19 million barrels.

Construction was due to start on the 1st October, 1978 but because of unavoidable organisational delays, this date has been moved to 1st April, 1979. The contract for construction of the terminal has now been awarded to a consortium of French companies and so the project should be off to a good start in 1979. Capt. Van der Linde, the chief promotor of the project is to be commended for his effort, courage and determination to achieve success in this venture.

The people of Cayman Brac and Little Cayman who for many years were faced with a stagnant and dwindling economy are now on the threshold of a bright future in economic development.

Local Industries

The incentive to encourage local industries as a means of expanding the economy is still an active programme of Government. Indications are however, that certain unfavourable factors could make it difficult for some industries to operate profitably in the Cayman Islands. These are labour intensive industries employing unskilled labour and industries dependent on large volumes of imported raw materials. If the cost to produce does not allow for a competitive market price then there is little chance that the business will succeed especially if the quality of its products is not on par with what is imported.

Inflation

Experience in the past has shown that inflation here in the Cayman Islands, as in most tax havens, follows the trend of the economy; for example, during the boom period before 1975 inflation rose to approximately 13 per cent per annum, while in the recession from January 1975 it fell to an average of 6 per cent per annum and remained there until January 1978. There could be a rise in the 1979 inflation rate if the economy continues to expand.

I stated not long ago that there are peculiarities in the way of life and in living standards here in the Cayman Islands and that perhaps measures to combat inflation in other countries would not necessarily produce the same results here. I also said that control over inflation may be better achieved by voluntary agreement and cooperation to keep price rises on goods and wages within reasonable limits. I hope there will be cooperation in this respect and that commerce and industry and all who are concerned over inflation, will exercise voluntary control as far as this is possible, so that there will be no need at any time for Government to institute any control measures.

Revenue

The revised revenue for 1978 is $16,199,903, an increase of $1,499,751 or 10.2 per cent over the estimated sum of $14,700,152. The revised revenue for 1978 represents 23 per cent increase over the actual sum of $13,084,209 collected in 1977, a tremendous increase probably unequalled in any other country.

The improved position in revenue this year is due largely to increased activity in the local economy. The following are the areas in revenue with noticeable increases in 1978:

1. Customs: 8.7% - $5,680,000 to $6,175,000
2. Judicial: 119% - $ 52,000 to $ 114,000
3. Post Office: 58% - $ 950,000 to $1,500,000

   (The above relates to Revenue Stamps in connection with real estate business transacted at Lands and Survey Department).

4. Departmental Revenue:

   a) Interest on Cash Balance: 62.5% - from $ 40,000 to $ 65,000.

   b) Work Permits: 37% - from $255,000 to $350,000.

5. Miscellaneous:

   a) Tourist Accommodation Tax: 30% - from $230,000 to $300,000.

   b) Travel Tax: 42.5% - from $200,000 to $285,000.

   c) Royalty - Oil Transfer 40% - from $250,000 to $350,000.

Expenditure

Expenditure has been revised at $15,582,602. This consists of inescapables $13,148,564 and capital $2,435,478. Of the capital sum $1,887,794 is charged to ordinary revenue and $543,684 to loan funds. It is encouraging to see how well expenditure has been controlled by cooperation between the various Government Departments within the framework of the approved budget. In the case of recurrent expenditure it is anticipated that actual spending will exceed the estimates by just $8,180. Capital expenditure charged to ordinary revenue will exceed the estimates by $333,761 but this excess was incurred as a result of a number of bills and unfinished projects coming forward from 1977. A few of the larger items are X-ray for the Hospital purchased in 1977, contractor's final claims on large capital projects like the Port and Administration Building which were under negotiation for a long time, and the covered walkway at the High School.

Financial Position for 1978

Having looked at revenue and expenditure we will now review the financial position for 1978. The budget for 1978 indicated that there would be a deficit of $958,324 at the 1st January, 1978 and $952,569 at the 31st December, 1978. The recovery of the economy which began in late 1977 has improved the financial position considerably and helped reduce the 1977 deficit from the projected figure of $958,324 to $536,277, a difference of $422,047.

The revised position for 1978 indicates that the year will end, not in a deficit of $952,569 but a surplus of $627,268. This resulted from collections in excess of the estimated revenue.

Capital Expenditure

Performance under the Loan Funds section of Capital Expenditure has not been very satisfactory. A project to be financed by European Development Fund in the sum of US$865,000 for further expansion of the Cayman Brac Airfield has not yet been finally approved. There are indications however, that it could receive favourable consideration and approval by the end of this year. The item will appear again in the 1979 Estimates in the same amount.

The only other area under loan funds is British development aid where a sum of $801,258 was allocated to various projects. Difficulties are experienced from time to time in employing these funds. One problem is negotiating final approval of projects and this can take up to two years; another is implementation of approved projects. In the latter case the difficulty is that a project which requires the purchasing of equipment and certain materials is subject to the "buy British" rule, meaning such purchases must be made in the United Kingdom. We find that in many cases it is more economical and expedient to buy American goods. In fact in urgent cases, projects have had to be switched from this section and financed by local funds.

The following projects were approved under British development aid loan in 1978:

a) The construction of a new police station in North Side and extension of the West Bay Station at a cost of $57,000.

b) A proposed new prison (first phase) to cost over $400,000. The extent of British aid to this project has not yet been decided.

c) Education Building programme - $150,000.

d) Airport Equipment at a cost of over $200,000. A part of this project was switched from this section to be financed by local funds because of urgency.

The balance of British interest free loans is now being determined. This form of aid comes to an end on the 31st March, 1980. However, we are hopeful that further consideration will be given to the Cayman Islands, probably in the form of soft rate loans for another five year period to assist the improvement of existing services and facilities.

Mr. President, I will now make brief comments on Departments of Government. I will not be able to mention all of them. While the comments may and necessarily be related entirely to financial performance, the services and achievements of departments are a direct result of Government's financial effort.

Immigration Department

The Immigration Department has had its busiest year in 1978. An increase in staff towards the end of the year will allow business to be dealt with more expeditiously. Although the work load has increased annually, this is the first increase in staff since 1972 which is a sensible approach and should be an example to other departments.

The Department plans to improve its service at the Airport and increase its enforcement activities. It also plans to acquire radio equipment to be installed in vehicles to co-ordinate and link activities of the Department so as to improve efficiency generally. The Department is doing well in the collection of revenue. The revised estimates exceeded the original estimates for the year. One of the items of revenue is Work Permit fees and I mentioned earlier that this was one of the outstanding areas of increase.

There was some criticism during the year, mainly from the financial community, over certain apparent changes in policy by the Caymanian Protection Board in the granting of work permits. The granting of work permits is of course a very sensitive area to the financial industry and if there had in fact been a change in the Board's attitude, then naturally there would have been grounds for concern.

Apparently the Board was of the opinion that training of Caymanians to fill more responsible positions in the various sections of employment now held by expatriates had not yet reached a desirable or satisfactory level. An attempt was made to stress this point to the institutions in the hope of receiving voluntary actions and long term benefits. The experience is that in a boom period there is a full employment situation when little concern is expressed over work permits. But as a recession produces the opposite results, training should always be foremost in the minds of employers, and training programmes must be meaningful and must be seen to produce the desired results. This would avoid much of the criticism which has been levied in the past.

Nevertheless, the granting of work permits should be treated according to demand at any given time because the Cayman economy in certain areas is dependent on foreign expertise. The financial industry requires both expertise and experience in its labour force and until these are available locally they must come from abroad.

Department of Broadcasting

The Department of Broadcasting, responsible for the operation of Radio Cayman, is making a valuable contribution to the cost of its operation by way of commercial revenue. Besides the revenue aspect of the operation, the Department provides a community service of information, education and entertainment for listeners throughout the Islands. Since its inception in December 1976 Radio Cayman has earned in revenue a total of $170,835 which represents nearly 70 per cent of its operational cost.

The revenue for 1978 is estimated at $100,000. Stronger sales arrangements are planned in an effort to reach the point where the Department becomes financially self-sufficient. It is aimed to achieve this target in 1979.

Civil Service Training

Training of civil service personnel is an important function in Government and 1978 was a very significant year in this respect. There is a Training Section headed by a Training Officer that is responsible for co-ordinating and arranging the various training needs. Funds for training are provided from three main sources, the British Government, the United Nations and this Government. More than 40 officers were able to take advantage of short and long term overseas study. These individuals from the various portfolios and departments receive technical or professional training at institutions mainly in the United Kingdom, the United States and the Caribbean. In addition to overseas study local inservice courses and workshops were held for various grades in the service.

Training is one important expedient offering hope for an improved civil service. As such it cannot be overestimated and should be in the forefront of desirable plans and objectives to continue uninterruptedly in the coming years. It is a worthwhile investment in the future of the Cayman Islands.

Legal Department

Despite increased demands in certain fields, and vacancies among its professional staff, the Legal Department continued to keep abreast of its heavy work load during the year under review.

In 1978 the Department assumed responsibility for the drafting of 21 laws which were passed at previous sittings of this Honourable House, as well as numerous items of subordinate legislation.

Among laws having particular importance in relation to the economic and financial affairs of the Islands, are the Petroleum Law, the Petroleum Handling and Storage Law, the Continental Shelf Law, and the Land Companies Share Transfer Tax (Amendment) Law.

In addition, the Department played a significant role in the formulation of important new measures proposed for the future strengthening of the expanding economy. I refer, amongst other things, to the proposed new Insurance Law, to laws relating to the sale of goods, and to changes in legislation governing shipping and the winding-up of companies.

The work of bringing together all the Islands' Laws in a single loose-leaf set of volumes is nearing completion. It is hoped that before the end of the coming year the task will have been accomplished, and that a comprehensive index covering the years 1964 to 1978 will be completed to accompany it.

Health Services Department

The Health Services Department continued to expand its services during 1979. In Grand Cayman physical facilities improvements included the construction of a pediatrics ward which will provide accommodation for eight to ten beds. Two new operating rooms are also under construction and should be in service early in the new year. Other areas of improvement are the relocation of the physiotherapy unit, remodelling of two rooms in the casualty section and the completion and opening of a new district clinic in East End.

In Cayman Brac plans are well underway for expansion of the Faith Hospital in conjunction with the plans of Cayman Energy Limited for their development in Little Cayman. The Company has already paid to Government US$100,000 of the US$200,000 contribution towards the Hospital project in accordance with the provisions of the franchise. The new facilities will provide ten additional beds, a new modern operating theatre with recovery room facilities, expanded X-ray room with a new portable X-ray unit, and dining facilities.

A study will be made as to whether it is acceptable to the Elected Members and the Electorate to provide a more equitable fee structure in which patients pay for the actual services and drugs they receive rather than a flat fee regardless of whether that fee is more or less than the services or drugs received.

Other facilities include garbage collection and disposal on a regular basis introduced in Cayman Brac in July 1978, and genetic and family counselling clinics which will be established by the end of the year with a view of reducing the incidence of inherited diseases. The Genetics Programme is proceeding very satisfactorily and Government has received approval from the United Nations Funds for Population Activities totalling US$146,000 for the second phase of the programme.

The 1979 improvement programme is quite large and includes completion of the operating rooms at the George Town Hospital, a new surgical ward of eight beds and an improvement of the outpatients facilities. There is a steady increase in the utilisation of hospital services which has brought bed occupancy to approximately 70 per cent. It is encouraging to know that the facilities which cost the Government so much to provide, are being used to the best advantage.

Social Welfare and Probation Services

The Probation and Welfare Department of Government as in the past continues to deal with the substantial part of social and welfare services and problems.

Again this year proof exists that cultural organisations, service clubs and sporting bodies assisted by Government and the financial community can identify and alleviate some of our most pressing social needs.

Poor Relief Assistance is administered through the Probation and Welfare Department. There are currently 73 persons in Grand Cayman, receiving permanent poor relief assistance. The cost is approximately $27,000 per annum.

In spite of careful screening of applicants, there has been a definite upward swing due to various socio-economic conditions. The average is one permanent poor relief addition per month.

Another drain on Poor Relief funds, has been the need to take an after-care of prisoners. These are mostly prisoners returning from Jamaica, and who were referred to this Department for help by their After-Care Office in Jamaica.

From the Child Care and Protection vote, assistance is given for school uniforms, accessories, books, school lunches, and aid to dependent children.

All these areas show a sharp increase in expenditure over 1977, especially school lunches.

To date there are six children in Approved Schools in Jamaica - four boys and two girls. The cost per child is $3000 (JA) per annum.

An increase in children sent to Approved Schools in Jamaica is not expected because of the facilities through Bonaventure Home for boys in need of care and attention. The basic philosophy behind the establishment of this home is the provision of a proper home environment for boys who need it. This home provides one of the most necessary and important services in this area and Government continues to be indebted to the Rotary Club for this generous gift. For the past four years there has been no marked increased in the Approved School Order for girls.

Social Services was expanded to Cayman Brac in September 1978 and a Probation and Welfare Officer appointed.

To date the education and treatment of the handicapped by the school operated by N.C.S.S. has been improved by the employment of one trained teacher assisted by volunteers. Government will be giving priority to building and equipping a new school for the handicapped. In addition a special building committee has been raising funds for a school while the Cayman Friends Society and the Lions Club of Grand Cayman, have collected monies which will be used to purchase a van for the handicapped.

N.C.S.S. continues to be heavily subsidised by the Government which pays all salaries for its staff as well as the salaries of Head Teachers in the day care centres and handicapped school. Government contributes a substantial part of the funds for the N.C.S.S. budget. Unfortunately, the N.C.S.S. has failed to raise any substantial funds as was originally its aim and one of its objects.

In the areas of youth work the N.C.S.S. have made progress to show the importance of providing meaningful activities for young people. The Council has assisted young boxers, foot-ballers, athletics, school drop-outs and up-coming actors.

Education Department

Education carries the largest allocation of any department and accounts for 15 per cent of the total budget. Over the next year over $3 million will go to education with $2.7 million charged to inescapables and the rest to capital expenditure.

During 1978 Government directed its attention to the provisions of additional accommodation in the George Town and Savannah districts.

A sixth Form Centre was established on the main site of the Cayman Islands High School and a science laboratory added to the Cayman Brac School. The capital building programme for 1979 will include the provision for additional accommodation for the Spot Bay and Bodden Town Primary Schools, and a school at secondary level with library services for Cayman Brac. It is also proposed to establish a middle school for 10 to 13 year olds.

The 1978/79 academic year commenced with a total enrolment of 2,734 pupils in the public school system. Of this number 1,247 pupils are receiving secondary education through comprehensive schools.

The 1978 external examination results of the Cayman Islands High School in Grand Cayman have improved and this speaks well for the staff, student and improvements introduced by the Portfolio for Education. Meanwhile, the Community College has doubled its enrolment over the past year with 400 students in 32 classes now pursuing courses in academic as well as recreational areas.

Talks are now in progress for a loan scheme by the local banks to make loans to students at low interest rates with repayments beginning a time after the student completes his or her studies and upon the guarantee of a private individual.

Thirty-eight students on Government scholarships are presently registered in overseas institutions pursuing courses at under-graduate and post-graduate levels. An award through the Education Study Fellowship Scheme has been made to a senior teacher who is now on a post-graduate course at Bristol University.

Government's total financial commitment for overseas students in 1978 was $140,000. Currently five students overseas are in receipt of funds under the Student Loan Scheme financed by loans from Caribbean Development Bank. An encouraging new development has been the award of a significant number of scholarships from the private sector.

Students completing courses overseas in 1978 numbered nine while eight new students took up scholarship awards at the beginning of the 1978/79 academic year.

As a new service to the school population, Government has recently provided liability insurance coverage for all secondary students in the public system.

Proposals to upgrade the Education System were tabled in the last sitting of the Legislative Assembly by the Honourable Member responsible for Education. Following public discussions on the proposals, a Government policy statement on education will be published.

Agriculture and Natural Resources

A number of interesting developments took place in Agriculture and Natural Resources during 1978, some of which could have significant effects in the future. Among the laws enacted during the year were the Marine Conservation Law, the Endangered Species Protection and Propagation Law, the Petroleum Law, and in addition a Fisheries Law has been drafted for introduction to the Legislative Assembly.

The Marine Conservation Law is to preserve the natural amenities of the territorial waters of the Islands, and provides for the protection of certain species of marine life, and the establishment of restricted marine areas. With increased diving activities and the depletion of conchs and lobsters, many consider the law long overdue.

The Endangered Species Protection and Propagation Law could prove a deciding factor in the future of the Cayman Turtle Farm, as it is hoped that the passing of this law will allow the United States Government to consider favourably the Farm's request to permanently lift the ban against the importation of turtle products. With their investment capital increased to $10 million, a 90 per cent Caymanian workforce, the closing of, or reduction in the Farm's operations, could have an adverse effect on the Islands economy.

The Petroleum Law provides for the issuing of licences for the exploration of Petroleum, and negotiations are now in progress with overseas groups for an exploration licence.

The Fisheries Law, now slated for introduction, provides for the development of Cayman's fishing limits, and will restrict fishing by foreign vessels except by licence.

Investigations have begun into the possibility of aid financing for an adviser to prepare a fishery development programme.

The Agricultural Department continues to provide farming and veterinary services to the public.

Two farming ventures, one in West Bay and the other in East End, are proving successful and should result in a cut in the import of fresh fruit and vegetables, thus enhancing our balance of payments.

The Agricultural Society has started a pilot scheme to market local produce, and based on the success of this, Government will consider establishing better marketing facilities.

Another recent development has been the granting of a Letter of Intent to Cayman Water Company for a potable water supply to the West Bay Beach Area. Further investigation of the fresh water lenses on the Island is planned for 1979 to evaluate the feasibility of an all-island water supply from this source.

Lastly a number of land purchases were made during the year, amounting to approximately $700,000, which is roughly more than double that of 1977. The most significant purchases were for the extension of the Grand Cayman and Cayman Brac runways, the extension of the hospital, the proposed Prison Farm, a public beach area at Smith Barcadere, and for the future expansion of Government offices.

Lands and Survey Department

There have been further increases in the Land Registry transactions. One full year has now elapsed since the Cadastral Survey team completed their work and the registration of nearly 14,000 original parcels of land has been completed. Further sub-divisions have increased the number of parcels by 4,000 bringing the total number of parcels registered in the Islands to almost 18,000.

The Drawing Section of the Department has been expanded to improve printing and reproduction facilities. All registry index maps are now available to the public in a handy book size.

Mosquito Research and Control Unit

This year's combination of rainfall and tide has been particularly conducive to high density mosquitoes, but control has been achieved by 113 adulticide sprays, and large larvicidal treatments. With only one plane or pilot available generally, 305 ground fogging operations were necessary.

Control is still being achieved with the insecticides Bioresmethrin and Dibrom; as yet no resistance has been detected. Negotiations have taken place with two major chemical manufacturers who will be supplying free insecticide for testing purposes.

A new Thrush 660 Garrett powered spray plane was purchased in March. The old Thrush spray plane was traded in as part payment.

During the year availability of heavy equipment has been poor; however, 11,353 cu. yd. of dyke, 25,877 ft. of canal, and 11 culverts have been constructed. Botabano and Barkers peninsular is now completed.

Aedes aegypti remains eradicated in the Islands. Port Disinsection and aegypti survey have been intensified because of the danger created by outbreaks of Dengue and Yellow Fever in other countries in the region.

Planning Department

Since passing the Development Plan in 1977, developers have shown more confidence in the stability of the Islands with resulting increases in physical development. The Department dealt with 200 new applications including 77 sub-divisions of under six lots in the first six months of the year. This resulted in the Central Planning Authority dealing with 525 agenda items in the same period. Development applications approvals are estimated at $15.5 million and construction valued at $7.85 million.

Emphasis has been in the tourist related and hotel development areas which is 66 per cent of the total value. Housing is 23 per cent and all other development is 11 per cent. A major project due for construction is the 200 room Grand Hotel on West Bay Beach. Another eight projects, hotels and strata lots, are in the process of implementation.

Low cost housing has not developed as anticipated with the availability of mortgage loans. It is desirable to see an improvement in this area.

Port

The New Port Facility, under the control of a Port Authority, commenced operation on the 1st July, 1977. In its first year the Authority reported that the facilities were a reasonably viable operation. During the period all commitments have been met which included:

(a) Reimbursement to Government of payments against principal and interest on the Caribbean Development Bank loan - $313,430.

(b) Meeting the cost of equipment purchased under credit arrangements - $62,069.

(c) Reimbursement to Government against advances made to the Authority to purchase equipment, etc. - $107,423.

(d) Meeting all operating costs of the port, including costs of liability insurance, pension contribution and wages of all personnel employed during the current financial year - $298,564.

The period from the beginning of 1978 has shown a gradual increase in the volume of incoming cargo. If this trend continues there are positive indications that the port operations will not only prove fully viable, but should within a reasonable time provide a small surplus to supplement general revenue.

Civil Aviation Department

During 1978, extensive work on renovating and improving the Terminal Building at Owen Roberts International Airport was carried out by the Public Works Department. Areas such as the Main Consourse, Customs and Immigration were expanded and improved.

Airline offices were also renovated and expanded, in order to improve passenger processing and baggage handling. An air-conditioned Departure Lounge was added to the building and the duty-free shops relocated in this area. The Bar/Restaurant was also expanded and completely refurbished and airconditioned.

A new Fire Station was constructed on the same site of the old building to improve unsatisfactory conditions surrounding the housing of very valuable fire-fighting equipment and facilities for the Firemen.

A new single Side Band radio link was installed between Grand Cayman and Cayman Brac, to facilitate aeronautical communication with the sister Islands. This will improve communication while reducing the cost.

It is also planned to improve landing facilities at Owen Roberts Airport by installing new navigational aid equipment. This equipment is an international requirement, and will be installed on airport lands adjoining Smith Road, near the Agriculture Grounds. The equipment is expected to be in service early in 1979 and it will make Owen Roberts Airport one of the few in the West Indies that is so equipped.

Plans have also been made for new navigational equipment and a runway extension at the Cayman Brac Airport. This project is awaiting loan funding by F.D.P. Such an extension would allow aircraft operating at Cayman Brac to carry increased payloads, and also allow the Island to be serviced by short-haul passenger jets. There is a possibility that Owen Roberts Airport may be extended a few hundred feet.

Cayman Airways

Late in 1977 Cayman Airways became a fully owned Government entity and new arrangements were entered into with Air Florida for the leasing of flight equipment and the necessary reservation and airport services in Miami, thus ending a long association with LACSA of Costa Rica.

In mid 1978 Government purchased a jet passenger aircraft for Cayman Airways operations. This also brought to an end the leasing arrangements with other airlines and the Cayman Islands was then able to comply with the provisions of the Air Service Agreement between the United States and Great Britain and its Colonies regarding ownership of airlines and their effective control.

At the end of October, Cayman Airways established a new direct route to Houston, Texas. This has created the need for a second jet passenger plane to provide greater flexibility in the overall operation, to maintain the schedules of the three international routes to Kingston, Miami and Houston, and to offer charter service as well. Government is therefore now in the process of taking steps for the acquiring of a second aircraft.

Cayman Airways now exercises full control over its entire operation. Businesswise it is doing well. It has so far taken a full share of the traffic market and there is every reason to believe that it will continue to attract good loads on scheduled flights.

Tourism and Industry Training School

Since its inception in July 1977, the Tourism and Industry Training School has conducted twelve training courses in which 371 persons were registered and 352 completed the course successfully.

During 1978, a section of the International College of the Cayman Islands was leased by Government for the school and was refurbished by Public Works Department.

Public interest in the school is growing and it is anticipated that 1979 will be a very busy and successful year.

The Year 1979

Before outlining the Financial proposals for 1979, I would like to announce Mr. President and Honourable Members that no new taxation is proposed nor are any increases of existing measures recommended.

I know this announcement will meet with approval of this Honourable House, and also the general public who usually groan Budget days wondering what more they will be called upon to contribute to Government coffers.

Government is aware of the strain increased tax measures have on the cost of living and on the existence of the people of this country, especially those poorer families. In the past, revenue measures have been examined carefully before they were brought forward, and it was only in those years when additional revenue was necessary to maintain Government services for the benefit of the people, that the decision was taken to introduce tax measures.

In fact, over the past ten or eleven years, we have on four occasions been able to bring forward a Budget with no new tax measures - these years were 1969, 1972, 1974, and again in the year coming, 1979.

Considering the rapid growth of this country and the economy over the past decade, and our limited sources of income, this has indeed been a remarkable achievement.

The decision not to introduce new taxes was taken in early June when there was yet speculation as to the final outcome of the current year and when a Treasury Bill issue was contemplated to supplement an estimated cash deficit in November and December 1978. When the financial situation was reviewed in June it was observed that new revenue measures had been introduced yearly over the past four years producing an aggregate of $3.6 million. It was the view that any new tax proposals in 1979 would in all probability be based on areas tapped within the last four years, there would be no other choice, and that this should be avoided if at all possible. We decided to go forward without new taxes and to trim the Budget to fit the level of income.

Later in the year after taking the decision against new taxation in 1979, the wind of fortune blew our way. The cash flow position improved to such an extent that the Treasury Bill issue was abandoned. The increase in revenue was quite encouraging; projections revealed that the year would end in a surplus and not a deficit as originally estimated and that if the trend continued, 1979 would be equally prosperous.

Even during a boom period, Government is cognisant of the fact that the benefits from increased economic activities do not spread into every pocket and that there is a section of society still in poor circumstances. As a gesture to assist in this area, although all will benefit equally, it is proposed to remove completely, import duty from the following basic food-stuff:

Rice, salt beef and evaporated milk.

The Bill will be presented at this Session and it is hoped that the benefits will pass to consumer when the law becomes effective.

Revenue and Expenditure

The estimated ordinary revenue for 1979 is $17,696,844. This represents 18 per cent growth over the 1978 estimates and is considered an extraordinary rise in income. The main areas of growth are in customs import duty, banks licence fee, court fines, work permits, ship registration fees, tourist accommodation and travel tax, royalty from the ship to ship oil transfer and contributions. These revenue items relate to the main areas of economic activities.

The total expenditure for 1979 in the sum of $19,798,569 comprises Inescapables $14,099,457, New Services $363,076 and Capital from ordinary resources $2,500,677 and from loan funds $1,835,359. The 1979 expenditure is 24.2 per cent above the 1978 estimates and is considered an exceptionally high increase. The $3,898,748 increase is spread over Inescapables $1,959,973, New Services $363,076 and Capital $1,575,699.

The Financial position for 1979 reveals a surplus of $100,002 derived as follows:

Surplus Revenue Balance from 1978	$ 627,269
Ordinary Revenue for 1979	17,436,644
Loan Funds	1,835,359
	19,899,471
Less Expenditure for 1979	19,798,569
Surplus:	$100,902

It is worth noting that under recurrent expenditure for 1979 spending will exceed income but the large estimated surplus of 1978 will more than off-set this.

Additional staff is being requested under New Services. This is a matter of some concern for while there may be justification in a number of requests, it is thought that for a service of this size, the present complement of staff is quite adequate. A staffing assessment will be made of all departments in 1979 but until the results are known no new staff will be recruited for existing services except in very urgent cases approved by the Governor.

The capital expenditure programme for 1979 is very ambitious. It seeks to improve and expand services such as education, medical, police and prisons, roads and other communications, civil aviation, vehicles and equipment and a domestic fire service.

It is proposed to raise a loan in the amount of $1 million by a bond issue in mid 1979 to finance four of these capital projects. However, if funds become available from other sources it may not be necessary to issue bonds.

One project worth mentioning is the domestic fire service. The capital outlay in 1979 will be $154,000 and the recurrent charge $41,000

A domestic fire service was under active consideration since 1970 when it appeared on the five year capital development programme; however, a number of set backs delayed its implementation, one being an inadequate water supply system and another, the cost involved. The number of recent fires has caused greater concern over the non-existence of such a service especially by insurance companies offering fire insurance cover. Government has now decided that with cooperation from the public to split the capital cost, it would establish the service in 1979.

For the launching of the service, and this is just an interim arrangement, it is proposed to expand the Airport Fire Service to cover domestic needs as well. It was the view that such an arrangement was the fastest way of establishing the system in view of the high cost involved in providing a separate unit.

As stated earlier, this is a joint Government/public effort for a first phase fire unit. The public will be requested to contribute 50 per cent of the capital cost or $75,000 which has been included in the revenue estimates. It is hoped therefore that the necessary finances for the unit will be forthcoming and that these insurance companies offering fire coverage will give their full support.

Civil Service Salary

Government is recommending a review of salaries of the Civil Service due to the rise in cost of living since the last adjustment in 1977 based on the position as revealed by the Consumer Price Index as at July 1976. Since 1970, salaries have been reviewed on two yearly basis provided the rise in the index was at least 5 per cent per annum.

Over the past two years from July 1976 to July 1978 the rise in cost of living was over 12 per cent which means that there is justification to consider another salary adjustment in January 1979. Recommendation is made in the Estimates based on a 10 per cent increase. This should not aggravate inflation since the adjustment is to meet a particular situation which existed back in July 1978.

Conclusion

The end of this year has seen the country in a very encouraging financial position, where we were not only able to forego the introduction of new tax measures, but also, very importantly, to grant relief of import duty on certain consumer goods.

This gratifying state of affairs has resulted from increased business in the main areas of the economy, which are dependent on our friendliness as a country, and our continued political stability.

If our improved way of life is to continue, it is necessary to safeguard these assets, as it takes but few internal problems to damage the reputation built over the years.

We are in no position to barter what has already been achieved for the uncertain, as this would surely have grave effects on the social, political and economic welfare of the country.

Stability is a very precious commodity, and can only be maintained through the joint efforts of Government and the public.

Mr. President, although the present situation is very encouraging, I would like us all to look at the future with caution and plan wisely.

I have every confidence that Honourable Members will fulfil their duties with constructive thought in the best interest of this country.

Mr. President, I recommend the Appropriation (1979) Bill 1978 for authority to spend in the financial year 1979 a sum of $18,707,124. This does not include the sum of $1,091,445 approved under other laws and covering expenditures such as pensions and loan servicing.

HON. V.C. JOHNSON (LABOUR(NV)): Mr. President, I propose that the debate on the Budget begin tomorrow morning.

THE PETROLEUM HANDLING AND STORAGE (AMENDMENT) LAW, 1978

FIRST READING

MR. PRESIDENT: A Bill intituled "The Petroleum Handling and Storage (Amendment) Law, 1978" is deemed to have been read a First Time and is set down for Second Reading.

SECOND READING

HON. C. HAIG BODDEN: Mr. President, I move the Second Reading of a Bill entitled "The Petroleum Handling and Storage (Amendment) Law, 1978".

Members will recall that sometime ago a law was passed for the proper handling and storage of petroleum products. Now that Cayman Energy is about to start construction of the terminal in Little Cayman it will be necessary to make Regulations for the safe operation of tankers and other ships, and it was felt that the Law would be strengthened if the penal sections were extended to cover the Regulations as well. The purpose of this Law is to apply the penal sections of the Law to any Regulations made under it. It's a very simple amendment, and I would ask the House to support it.

MR. PRESIDENT: A Bill intituled "The Petroleum Handling and Storage (Amendment) Law, 1978", the Second Reading has been moved and the motion is open for debate. If there's no debate I'll put the question.

QUESTION PUT: AGREED. BILL WAS GIVEN SECOND READING.

THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1978

FIRST READING

MR. PRESIDENT: A Bill intituled "The Agricultural and Industrial Aid Law, 1978" is deemed to have been read a First Time and is set down for Second Reading.

SECOND READING

HON. C. HAIG BODDEN: Mr. President, I move the Second Reading of a Bill entitled "The Agricultural and Industrial Aid Law, 1978".

The purpose of this Law is to establish a board which will have the power to receive funds which can afterwards be loaned to farmers or agricultural development, and to people contemplating small industrial developments. There is a need for this kind of money. When one listens to the News Media you will hear about the friendly Banks and how many ways they can help. I often feel that it should be added "if they could". There has been a shortage of money available for the use of agricultural development and small industries, particularly where the borrower was a person of little means. If one can prove to most financial institutions that one does not really need money, then one can borrow it. Because of this shortage of money Government has been negotiating with the Caribbean Development Bank for funds which this Government would then lend to farmers and other investors. The Bank is looking favourably upon such an arrangement, and at the present time

HON. G. HAIG BODDEN (CONTINUING): ...they are considering a scheme which will make, hopefully, early next year, money available to people in need of it for agricultural and industrial developments.

The Bank, (that is Caribbean Development) has recommended that a Board be set up, assisted by Law, to receive these funds and lend them out, collect the money back over a period of years, together with interest, and so repay the Bank. I feel that this is a worthwhile scheme, and I recommend the Law. I would like to tell Members that when the Bill, if it is passed, is finally printed there will be an arrangement of the Sections which is not contained in this, but that is a clerical matter which won't affect the substance of the Bill.

QUESTION PROPOSED: DEBATE ENSUED.

MR. GEORGE C. SMITH: Mr. President, I am a bit surprised that this Bill has never really been brought to us in an Informal Meeting as is normally done, so that we could discuss this particular Bill. However, Sir, I still say that the contents of this Bill I support wholeheartedly. However, I think that the public would be much better served if we would take one step further and look at the possibility of turning the Government Savings Bank into a commercial bank, and with this same scheme include mortgages to the general public. I think Government on the whole would benefit also, because they could turn their present pay role, instead of going through a commercial bank in the private sector, Government through their own central bank, if I may use that word, could also benefit by it.

Another point. I see that the Bill provides for creating a separate department, if I may say so. And I also feel that the present staff in the Government Savings Bank today would be better utilised should they be given the functions of administering the affairs set out in this particular Bill. And I would appreciate, Sir, that the other Members would give this some thought and look at it, may be asking the Member presenting this Bill to go back or go into a Special Committee or a Committee of the whole House to look at these possibilities. The end results, Sir, I feel would be to serve the public and the Cayman Islands Government much better. Thank you.

MR. PRESIDENT: Are there any other speakers? Would the Honourable mover wish to exercise his right to reply?

HON. G. HAIG BODDEN: Yes, Mr. President. In our Informal discussion yesterday with the Members we didn't deal with this Bill. However, the Bill was circulated well in advance, and while I didn't discuss it with the Members it is true that none of them choose to discuss it with me, so I think both parties are free from any condemnation.

The question of being administered by the Savings Bank was considered by Government and a proposal was made to Caribbean Development Bank, but they were not happy with it. At first we thought it could be accomplished by a simple Amendment to the Government Savings Bank Law and Regulations, but Caribbean Development Bank insisted on an independent measure of status, that is, they wanted an entity in itself responsible directly and singularly for the purpose of receiving and administering these loans. I personally agree with the Member from George Town, that this is a task that could be taken on by the Government Savings Bank. However, one of the conditions of the loan is that we set up a statutory body. However, we will not be employing full-time Civil Servants to administer this Law. A board will be appointed and members will be paid a small sum of money whenever they attend meetings, they will not be on full-time salary, and if any Civil Servants should be on the board it is very unlikely that they will receive any compensation. This is set out in one section of the Law, where the Governor will appoint members and these members will be paid the nominal amounts that are paid to board members whenever they attend meetings.

So, with those few remarks, Mr. President, I would ask the House to accept the Bill as it is.

QUESTION PUT: AGREED. BILL WAS GIVEN A SECOND READING.

THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) (NO. 2) LAW, 1978

FIRST READING

MR. PRESIDENT: A Bill entitled "The Land Holding Companies Share Transfer Tax (Amendment) (No. 2) Law, 1978" is deemed to have been read a First Time and is set down for Second Reading.

SECOND READING

CLERK: The Land Holding Companies Share Transfer Tax (Amendment) (No. 2) Law, 1978.

HON. V.O. JOHNSON: Mr. President, I beg to move the Second Reading of a Bill entitled "The Land Holding Companies Share Transfer Tax (Amendment) (No. 2) Law, 1978".

The purpose for this Bill, Mr. President, is to exempt certain transactions from the liability of share transfer under this particular Law. Section 4 of the Law is being repealed and replaced by the Amendment contained in the recommendation before us. At the present time Section 4 exempts only trustees or nominees as stated in (d) of (4) in this Bill, and the opportunity was taken to also include categories (a), (b) and (c). The main purpose, Sir, Mr. President, for the amendment of the Law is, that when the first amendment to the Land Holding Companies Share Transfer Tax Law was done in the earlier part of the year there was a need for the amendment of Section 4 then, but unfortunately this was overlooked.

Section 3 was replaced in the first amendment and Section 3 deals with the arrangement for the assessment of stamp duty under the Law. And Section 4, in referring to the exemption of certain categories referred to Section 3, certain parts of Section 3, but under the new Section there was no need to refer to this particular Section, you had to refer to the whole of Section 3, and so there was a need to make the amendment to Section 4 so that Section 4 would refer to Section 3 for exemptions of the various categories. It's a simple amendment, Mr. President, and as I said before, the whole purpose of the recommendation is to exempt certain transfers from the liability of share transfer, and I would therefore ask Members to give the recommendation their full support.

QUESTION PROPOSED:

HON. EDWARD M. BODDEN: Mr. President, I support the amendment to the Law, and it in fact replaces substantially what the Law was in relation to personal representatives prior to mid 1976 when some how that section was taken out; and in the event of the death of a person then any shares vested in that person which were transferred under the estate were not exempted from duty; on the other hand, if the land was owned personally, then the transfer from person to beneficiary or administrator to beneficiary would have been exempted.

I would like to mention one thing that I think the House should in due course look at, and that is, a position when one has a transfer of property from one legal entity to another legal entity, but in which the beneficial ownership of those entities has not in fact changed, then in those circumstances, Sir, I think it would well be grounds for either reducing down or alternatively exempting from tax. The way it would really work is something along these lines. If I own land and to have a limited liability company hold the property and give the advantage of

HON. TRUMAN M. DODDS (CONTINUING): the limitations of liability in the flexibility of it and the perpetual succession of that type of entity, I could transfer it to the entity provided I owned all of the shares in it. Alternatively, if I own all of the shares in the company, in which case the company would be mine, the land would be mine, I could then transfer the land from the company back to me or to another company in which I own all the shares. I know that sounds somewhat complicated, but in this modern age the Government does get revenue from the creation of companies and more and more people are looking to put their property and their assets in corporations, and if there is a distinction with this type of transfer and one has to pay the stamp duty, then what is really happening now, Sir, is that you're not getting the fees for the companies nor are we getting any transfers and therefore no tax.

So if it could be considered in due course, perhaps sometime in the future of looking at the situation where the beneficial ownership does not change in the event of a transfer legally between two entities, then I think that Government could get some more revenue in an area that perhaps it is getting none or very little at present. I support the amendment, Sir, and I would once again ask the Members to do so.

MR. PRESIDENT: Does the Honourable mover wish to say anything in reply?

HON. V.U. JOHNSON: No, Mr. President, only to thank the Honourable Member for the remarks made, and to say that I too support his view that the question of beneficial ownership in property ought to be transferred to a company where there is no change in the ownership at all. This is something that could be looked at; there are grounds for the consideration and in due course we could examine the Law again and recommend an amendment to the House. Thank you, Sir.

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

THE TRAFFIC (AMENDMENT) LAW, 1979

FIRST READING

MR. PRESIDENT: A Bill intituled "The Traffic (Amendment) Law, 1979" is deemed to have been read the First Time and is set down for Second Reading.

SECOND READING

HON. C.L. MERCHANT: Mr. President, I move the Second Reading of a Bill entitled "The Traffic (Amendment) Law, 1979".

The ever increasing volume of traffic and development of improved methods and facilities for controlling it make amendments to our Traffic Law necessary to keep up with the development of our country. The passing of the amendments proposed to this Bill will give the Traffic Department the necessary power and latitude needed to cope and control our ever growing traffic problems as well as to provide for the protection for all road users. It will enable the Governor to make Regulations for controlling the number of taxis and omnibus delivery licenses issued annually, and also control the operation of the public passenger vehicles, are measures which are surely needed.

The introduction, Sir, of mopeds on our roads makes it necessary to introduce a new classification in our definitions to cover them. They are mechanically propelled, but also have pedals, they have no gears and merely have a hand operated accelerator, hand operated clutch,

HON. C.L. KIRKCONNELL (CONTINUING): and hand operated brakes; because there is no classification for mopeds in the Law, they are now being classed as motor cycles. This, Sir, has caused the two rent-a-moped firms difficulties when tourists wishing to rent these machines cannot produce a motorcycle licence from their countries, however in the States that they come from a licence to ride a moped is not required.

This Bill includes a definition for mopeds and provides a classification for driving licensed groups. A new provision, the school crossing patrol is being introduced and a new Section 56(a) is inserted to give "the Commissioner of Police authority to appoint persons over the age of 17 years who when wearing a prescribed uniform to be school crossing patrol empowered by displaying a prescribed sign to require drivers of all vehicles to come to and remain at a halt and so provide a clear path for children crossing or about to cross any road for the purpose of making their way to or from any school."

The amendment to the definition "truck" will enable persons holding a regular motor car driving licence or a group 2 licence to drive a pick-up or a van not exceeding one ton. Under the present Law one must have a truck driver's licence or group 2 licence to drive a small van or pick-up. On provisional licence the Bill will now limit the number of times that a provisional licence can be issued before a test is taken. There have been many instances of abuse whereby persons holding provisional licence have been found driving cars alone and continuing to renew their provisional licence without taking a driving test, it will now be compulsory for them to take a test before a third licence is issued. It will be an offence for the holder of a provisional motorcycle or moped driver's licence to carry a passenger, only experienced drivers will be allowed to do so.

In future it will be mandatory for persons applying for driving licence to produce two photographs, one of which will be affixed to the licence and the other on file on her card in the Traffic Department. In the future holders of driving licences will have to produce two photographs when renewing their licence. In the meantime drivers wishing to have their photograph entered on their licence can have this done by producing two identical photographs to the Traffic Department the Department will be willing to do so at any time. The entering or affixing of photograph on one's licence will certainly up-grade it and provide the holder with additional identification, it will also assist the Police in detecting unqualified drivers and stamp out the use of forged licences.

I have dealt, Sir, with the more important amendments in the Bill. There are, however, one or two minor amendments that will be clarified during the Committee stage. I have, Sir, taken this Bill on two occasions to Members of the Legislative Assembly, and we had at those meetings the Head of Traffic Department and the Permanent Secretary, and we have gone through this Bill, Sir, in detail and I think we have ironed out all areas of difficulty or misunderstanding. And I am therefore asking all Members to support this Bill. And I commend the Traffic Law to this Honourable House; and again I ask their support.

MR. PRESIDENT: A Bill entitled "The Traffic (Amendment) Law, 1977" has been moved; the question is, that it now be read the Second Time. The motion is open for debate, but as it is nearly quarter to one, I think this might be a suitable time to suspend and resume proceedings at two thirty this afternoon.

HOUSE SUSPENDED AT 12:45 P.M.

HOUSE RESUMED AT 2:30 P.M.

MR. SPEAKER KENNEY: Mr. President, just a few words in connection with this Traffic proposed amendments. I don't believe that there is a man in this country that is any more concerned about the traffic situation than what I am, and would like to see it controlled to the highest standards. Even though I took a part in the informal way in dealing with this before it

MR. CRADDOCK BANKS (CONTINUING): came into the House, there were certain proposed amendments to it that I objected to and I still object to those proposed amendments. Because I feel that we must be fair to the people of this country, young people that are coming up, and making a choice of a career, and I don't feel that their career should be hampered by enforcing a Law to prohibit them from going into the particular career that they may be interested in such an they one. If they want to be a taxi driver or a bus driver as the case may be, it's a harsh restriction on young people who might choose this career. And since the 18 age group is required to go along with this country in every field, then I don't see that they should be deprived from making a choice of their livelihood when they want to.

It seems like it's the intention of the plan of the Traffic Department to get every motorist in this country to carry two to three drivers' licence, for what reason, I can't understand. And that is another part that I opposed and I still still oppose. Buses & vehicles - vehicles in group 2, A, and all other vehicles - I haven't been able to find out what these all other vehicles, where they come in or what type of vehicles that should be tied into this or spelled out. So, Mr. President, when we go into Committee stage I will go into this in detail and give my feelings and express my views to the extent, and I will hold on to what I feel is fair for the people of this country 'til I'm convinced different. I know we must use measures to the fullest extent of safety, but nobody controls an individual after he is behind a wheel and out on the road. Government has found it fit and proper to issue a driver's licence to a seventeen year old, then in the commercial field we felt that one year experience in driving behaviour would be of help, and it was thought that eighteen, but though the traffic will say, no, not eighteen. I will fight this, Mr. President, to the end. So at this stage I will not say anymore on this proposed amendment 'til we get in the committee stage.

CAPT. KEITH P. TIBBETTS: Mr. President, I have studied this proposal, this draft Bill on traffic. I support certain elements of it, and I must agree with the Member from North Side. I think this is making us look silly, when we sat down just a few months back and agreed that the age of majority should be eighteen, and now they want to go away with that and say, this age it should be brought in for a person to be licensed to drive certain vehicles. I cannot accept this. I do not agree with the policy of sort one coming in that we employ, wants to come in and bring in new Regulations, new systems, new ideas. It is this Legislative Assembly that has been entrusted by the people to make the rules and regulations that must govern the Cayman Islands. So, I too will support the Member from North Side with this, we must keep it to what we agreed on earlier this year.

Another point I want to raise is this, the examination of people for a driver's license. I don't know what the situation is in Grand Cayman, but I happen to know quite a fair amount about it in Cayman Brac. I understand there is or maybe that there are certain questions. I believe the driving book has twenty questions or some such thing, and now there are twenty-five questions asked when you go for a driver's license, and if you do not answer them identical to the answers made up by the Traffic Department you are turned down. Mr. President, I cannot accept this. There are no two people in the world in my opinion who are writing a letter on the same subject will write the same words, and I feel sure some of those drivers put the same opinion, the same meaning, or the same answers to the questions but not in exact same words. This we must not, in earnest accept.

As a driver, I am one that is standing here today with more than fifty years of experience behind me. It has been more than fifty years since I have been driving a vehicle, and I have watched some of these new drivers that have been undergoing driving under good teachers, good leaders, talked to them, and I am confident that they are capable of driving. I'll use one example, we had a man who had been driving in Jamaica for almost twenty years, and he went for a driver's license in Cayman Brac because his license time had expired, and he went three times, each time he was turned down because he did not answer the questions as they were written down. This is ridiculous. And this is one thing I think that when we get into

CAPT. K.F. TIBBETTS (ICHINNAMAKI): ...will be going to you satisfied if my talking is any good, if not, well then, I don't quite see the purpose here.

It's one point here I want to support very strongly, and I have mentioned it on several occasions before, and that is people licensed to drive a truck. The trucks are in various categories. If a person has a license to drive a small truck, let us say, anything under a ton what you commonly called a pick-up half or a three quarter ton or one ton. I do not agree that this license should cover them to drive a big heavy truck. I have driven all sizes and all types and I know the difficulties, and I really support the idea here of where they are separating that now. And if you have a license to drive a pick up truck it will be limited to one ton, then you'll have to get a separate license for a bigger and a heavier truck. There are two separate entities, almost anyone can handle one of those small pick-up trucks, but it takes practice and it takes quite amount of experience to handle a big heavy truck, especially loaded.

So, with those remarks, Mr. I will leave this further when we go into committee stage to debate this all over. Thank you.

MR. PRESIDENT: Are there any other speakers?

HON. JAMES M. DOOLEY: Mr. President, I rise in support of the amendment to the Traffic Law that is before the House. In supporting this motion, Mr. President, my mind reflects back to several years ago when my colleague from Indian Town and myself along with some of the other Members of the old House kept the committee, which was at that time amending the Traffic Law in session, I think for over two weeks. It was probably the longest time that was ever spent on a Bill that came before this House, and we went through the amendments to the Bill at that time very thoroughly and we tried to bring it up-to-date as much as we could. But the laws on our books are like anything else, even a piece of clothes, from time to time it has to be up-dated, and we find that although a lot of thought, time and effort was put in the previous amendment that it is not necessary for us to go a bit further in order to attempt to safeguard the people who are on our roads.

Traffic has increased tremendously in these Islands over the past few years, and driving a motorcycle or a motor car or a truck or a bus or whatever it is, is nearly as dangerous as I think flying is. Because we have so many people from abroad, and a lot of them come from countries that drive on the other side of the road rather than the side that we drive on, so it is no doubt that we need to continually look at the Traffic Law and to maintain that we have it as tight as possible. In doing this, we need to give the Police every possible support that can be given to them, and the main support can come from having an updated law. We do not want to know that cases go before the Court and have to be thrown out for lack of evidence as I understand a certain case was dealt with today.

In regards to the driving of mopeds and motorcycles, I probably am guilty as an instant for introducing them into the Island, but on reflection I think that it is a serious thing, because the ordinary manner in which this is handled is off of a driver's license issued in another country where the person probably has never driven a moped or a motorcycle, yet the know-how to them here. So, any control that we can put in this area that will tighten up the problems that are encountered, I think it is the duty of this House to do so.

I would like to further comment on the pictures of the driver being put on the driver's license. This is something that probably should have been done a long time ago, because it will assist in many cases some of the older type also by seeing this. I know that we constantly hear that a person cannot be convicted for drinking at a bar when he is fifteen years of age because he looks to be twenty-five, well, that may be true in my case but it's not true in all cases of people going into bars. And this is one way we can attempt to control it.

HON. JAMES M. BODDEN (CONTINUING):

Yesterday afternoon I addressed the Cayman Islands Hotel Association, and one of the questions put to me was, whether Government would consider introducing legislation to whereby every person in this Island would have to carry a card so that they could be served at the bars. Well, I politely told them that we never would introduce a thing like that because we would be blamed for introducing a apartheid system into this country, and that is something we would never attempt to do. But this measure can go a long way/helping/ this particular issue, but I would like to point out at this time that we should probably go a little further,and that the picture and the card should be in laminated plastic, otherwise than that we will certainly find that people will change my picture off of a driver's license and probably put Dalmain's.. And we will have the same thing as we've had before, and you'll find that when it goes to Court we will not get a conviction. So, I'm hoping that when this is introduced that it will be introduced to where the drivers' licenses with the picture will be in laminated plastic to where a person cannot easily mutilate it and insert another picture.

I would like at this point to comment on a point that was raised by two Members of the House a few minutes ago. I sympathise with what they are saying, because in some respects it would look to be common. But my intervention of it would go a bit further, and the reason for that is this, I do not think that we can take the Age of Majority Law which was recently passed by this House and apply it to every piece of legislation that comes before this House in regards to the age of eighteen. There is still certain legislation which should remain on our books and which should carry a higher age than eighteen. I may lose in the forthcoming election all the votes of the teenagers, but I still stand on my conviction that at age eighteen a person is not as competent as they would be at age twenty-five. Age matures all of us, it has even made me more gentle in where I can speak very calmly in this House. So, my belief is that at age eighteen, if we passed The Age of Majority Law that we may be moving in a dangerous direction. I am not saying that we would not find one young man out of maybe ten in this community, that at age eighteen may not be very, very reliable and may not be capable of doing every thing that a twenty-five year old man could do. But we still have to legislate for the majority, and in legislating for the majority it is my firm opinion that the young man of eighteen who has only legally had one year of driving experience, that is, being qualified at seventeen, should not be put behind the wheel of a bus loaded with kids. It's a bigger piece of equipment that he is having around the streets with, the reaction could probably be slower than it would be if he's more experienced, and it would prove in the long run to be very detrimental if we were to run the age at eighteen.

I fully support that the people at eighteen, as the Law has given them the vote,should in most cases be able to exercise that vote and to do most things that a person would do after he has reached his age of majority. But in this particular case I think we need to look at the existing legislation in some of the other countries abroad. In some countries you cannot drive a vehicle of this nature unless you have had at least five years driving experience, and I do not believe that we would be legislating for the good of the majority if we were to lower the age limit in this particular case to eighteen. I cannot see it being that detrimental to the community at large for the amount of people that would be affected, and I would hope that as we proceed in this that Members will take what I have said in the nature that I have said it and realise that it is probably for the good of the country as a whole if we leave that age at twenty-one.

Mr. Speaker, again, that my colleague from Bodden Town and myself were instrumental in getting put into the present Traffic Law, if I remember correctly, before it was a little bit more lenient. And I would like to see that stay to where it did have a little bit of teeth in it.

Another point that I'd like to bring to the attention of this House, and think I remember to be an important thing, and that is, that this Law will go a long way/helping/ in control the taxi situation in this Island. There are few things in my portfolio that have taken as much time

HON. JAMES M. BROWN (CRANBROOK): ...as the last situation since I have been in Government; it is a continuing problem, it is one that is very, very difficult to cope with. I agree that everybody in this Island should have an opportunity to share in the benefits that are accruing to this country today, but I think we are fast getting to the point where every person who has not found employment some other place or who wishes to, may be moonlight from another job in becoming a taxi driver. In the end this can only hurt the image that we wish to portray abroad, and in addition to that I feel that we are hurting the serious cab driver who has stayed in the business for many, many years and has made his livelihood from it. The more people that enter the cab business on a part-time basis, the more the experienced cab driver is going to fail, and that cab driver has probably been in that business for twenty years or more, and I think we should seriously consider this because it is beginning to hurt, I believe, in some areas.

In addition to that, we have come to the point where we should have some type of legislation that would control the type of vehicles which can be licensed as taxis. I remember years ago going to Jamaica, and I imagine it is worse today, but at that time probably three quarters of the cabs that you saw needed a donkey to pull them on the streets. In addition it sounded like it had just been a wedding with a bunch of tin cans rattling down the street. Now, we would never want to get in that position here, but at the present time there is nothing we can do, more or less about it, but we have come to the point in time when legislation must come in to where a sensible figure and a sensible approach must be given to this problem. And that we can all deem, and those who are genuinely interested in becoming cab drivers, and those who are genuinely interested in pursuing this as a means of livelihood only have full opportunity to do so. And the person who is only going in to fulfill his time, may be at home between trips as was would not normally be allowed to be in this business.

I do not like to have a lot of controls. I find that when you start putting controls it is a creeping thing, and it gradually creeps and creeps until it probably in some case gets worse. But as a layman, I have no other solution to this problem other than trying to see that in the years to come we are able in some manner to control the amount of taxis and the type of equipment that is used in the taxi business.

I am very pleased to see the further advances that have been put into this amended Bill in regards to the testing for drunken driving. It is no secret that the Caymanian community as a whole has come to the point where alcohol is more or less a way to any type of consumption. This has happened because of our popularity as a tourist resort, it has come about as a lowering of moral standards; this is happening through out the world today but there is no reason why we as a Government should sit idly by and let this continue without trying to bring the people who create the accidents to justice. If a person wishes to drink, again, that is his freedom, that is his right to do it, but in doing so he owes the community a moral obligation not to put that community in detriment. And by having a law on the books which will force that person to submit to these tests or be deemed to be in that condition, in my estimation we have taken a big step forward when we put this into law.

Mr. President, I could speak endlessly, I guess, on this particular subject, but I am hoping that this amendment will have the full support of the Members of this House, and that they will fully realize that what we are attempting to do is to bring our country, not in line with other countries but a head of them in this regard as we are doing in other areas. So, Mr. President, I am hoping that everyone will fully support this Bill. There may be minor amendments that are necessary, I haven't perused it that closely, we might need to insert a semi-colon where a comma is now or something of that nature; but I feel strongly, Sir, that this House should support this Bill in its entirety, particularly in regards to the points that I have spoken on. Thank you very much.

HON. C. RAIG BODDEN: Mr. President, I rise in support of these amendments. It is quite clear that accidents on the road is one of the major problems facing us today. Only on Friday night of last week I counted subsequently ten

Hon. C. BAIG BOGGS (CONTINUING): the Police Estimates which had been tabled in this House at its last sitting, and many of the people in my district were surprised to know of the number of accidents which are actually encountered. Kingston seven seven seems to have been a bad year, we had the largest total number of deaths on the highway, twelve people died as against two in 1976 and four in 1975, three more already in 1974. So, as far as life is concerned the Traffic Law and the Traffic Department and the people who use the road need to come under scrutiny. One death per month on the highway is far too much.

Also to further expound the seriousness of the condition of the traffic, if one looks in that Report one will see that the total number of accidents recorded last year were three hundred and eighty-seven or more than one per day. And the reason for the amendments to the Traffic Law is simply to try to improve this situation where last year one accident or more occurred each and every day of the year. And the total number of driving offences for 1977 was eleven hundred and ninety-five or one driving offence committed every eight hours of the day, so it is becoming a major problem. I am happy to say that the buses, and particularly the school buses do not seem to be involved in accidents, and this is a good thing, because in the last few months on the Radio there have been reporting accidents involving buses and where in one instance some thirty odd people were killed and in another, I think something like fifty-five were killed in a single accident. And while at the present time we have been favoured in not having fatal accidents involving buses, the driving of a bus is an awesome responsibility to be put in the hands of a young person. And regardless of the school which he may have attended, in driving a motor vehicle nothing can compensate for experience and the time spent behind the wheel.

In the old Traffic Law one had to meet certain requirements before one could get a license to drive a bus, and amongst those requirements, was that had to be met was that the person must be over the age of twenty-one and must have held a driver's license for at least one year. So, the driver would have to be twenty-one having had a driver's license for one year. The two amendments reduces the age at which a person can hold a license to drive a bus, this is reduced to eighteen. And I must say, I hadn't noticed this before but there seems to be an anomaly, and he must hold a driver's license for two years, so it appears that the word 'eighteen' needs to be changed, because it would be impossible to hold a driver's license for two years at the age of eighteen since the license cannot be acquired until the age of seventeen. This is a matter which can be dealt with at the committee stage, but the main difference in amending the qualifications for driving a bus is that the experience required under the new amendment is increased to two years while in the old Law the total experience required or the minimum experience required was only one year.

It is true that age does not necessarily carry with it the ability to drive any vehicle, age does not necessarily carry with it experience. It has been found that some people remain on a job for five years and they acquire five years of experience while another person on the job for five years only acquires one year's experience repeated five times. In other words there are some people that no matter how long they do a job they never seem to improve, but I think it is incumbent upon the Legislature and upon the law to put in a reasonable period for the acquisition of responsibility and the acquisition of experience before one is given the job of driving a vehicle where one single error might result in catastrophe.

The rest of the amendments seem to be more or less acceptable to the House, and I trust that a happy medium can be found on this particular point. While it is true that a person, if he is a school leaver has the right to get a job, and probably the job of his choice, there is still the responsibility of those making the job available, to see that the person is suitable, that he is qualified, that he has the experience, that he has the knowledge and the expertise to do the job in the interest of the public at large. Now, I have known eighteen year old drivers that are more responsible and far less a hazard on the road than some of the old timers. But I believe that in this matter there is absolutely no substitute for experience which can only be gained by the number of hours that are spent

HON. G. MAC EACHEN (CONTINUING): in driving behind the wheel. So, Mr. President, I fully support what this amendment is trying to do, and I trust that other Members will find that support for the Bill as I have found.

MR. PRESIDENT: Are there any other speakers?

HON. THOMAS M. BOLDEN: Mr. President, I would first like to commend the Honourable mover for the very clear explanation that he gave in relation to the Bill. I think that he covered most of the aspects, and I believe he has gone into considerable details with all of us Members in relation to it.

One part which directly affects my portfolio is the part relating to school crossing patrols, and I am very happy to say that this, along with reduction of speed limit, either through the flashing of lights or some other type of signal, will reduce speed limits at the precise times of the beginning and ending of school days. And this alone with the school crossing should make it much more secure and much safer for children both in the area of the Government schools and also of the private schools. I always worries me, Mr. President, that at present we do not have these safety measures put either in the Law or in the Regulations, and after some considerable time now we are at last hopefully getting the measures that should do the job safely within that part of the school area at those times of the day.

The other aspects of this relate to areas of the Law that have been under consideration for some while, and they have been, I believe, looked at in some details or I know they have been looked at in some detail by the Members.

The application of tests in relation to both drivers of motor cars and omnibuses or any other type of vehicle I think is extremely important, and a very heavy onus rest on the Police - Traffic Department to ensure, that regardless of age, whoever comes out of there with the appropriate vehicle, is both from the experience and the ability point of view capable of controlling what has in modern time now to be one of the most dangerous weapons for which licenses are handed out of all. If the Police, and I would have no doubt that they will ensure that these duties are carried out fully, if they will make sure that persons being tested whether it is for buses, lorries or fast, Mr. President, sometimes it bothers me when one puts over-taxes on speed limits whether one is going by speed limit, by buses, which does happen from time to time but to ensure that these drivers are properly trained or properly mature and are sufficiently capable of protecting the passengers within the vehicles as well as ensuring that the vehicle is not made dangerous to persons who use the road. Now and more so are getting people who either cycle or ride the smaller motorcycles or even walk along the road, and especially at nights, Mr. President, in areas, say along the Island north of the West bay road, it can be reasonably difficult to see people who are walking there or perhaps riding unlighted bicycles. And it does take, I think, a considerable amount of caution when one goes along there, and I would hope perhaps in due course that something could be introduced to increase the safety there. Perhaps a line along the road in which cars will keep on the outside of it, if it wasn't possible to introduce a sidewalk, then at least a driver would know that if he stays within the center line and within the line along the side of the road that he would be substantially sure that there should be no objects or persons or anything within the lane of the traffic.

I would like to see as early as possible the new Section 58(2) relating to the school patrols brought into force, and I would do everything possible to ensure that the necessary co-operation from the Government vehicle was given and that full effect from their side was brought in.

I understand, Mr. President, that the amendment to Section 61 of the Traffic Law relating to the radar speed meters will be used to introduce what I think is a very good type of instrument or a type of equipment, and that is, a radar speed meter on which there is a read out.

HON. TRAVIS M. BOGGS (CONTINUED):

It is very reassuring I am sure to everybody to be able to actually see what speed they were making at the end of which life should be much easier, both to the police, the Judge and the prosecutor as far as any attempt at challenging the speed is on the information for the offence.

Mr. President, other than perhaps one minor amendment which at the committee stage could be looked at, and once again sounding the caution that I think it is vital that anybody, whether he be a bus driver or the driver of a motor car or any other vehicle, should be properly tested, sufficiently mature and that they should have not been in the habit of having accidents which they are liable either civilly or from the criminal point of view as is set out in relation to the omnibus drivers that the amendments are good. And I would ask the Honourable to support it, and hopefully, as I know, I should say, that the Honourable Member who moved this would in the course of bringing in the Regulations and bringing them further to the Members of necessity to present a complete package and to tighten any areas in the Traffic Law which the public deems necessary to be tightened at this time.

With that, Mr. President, I support the Bill and I would ask the Members' support, naturally, subject to whatever alterations they may deem necessary.

HON. C.I. KIRKCONNELL: Mr. President, before introducing the amendment to this Bill to this Honourable House, much care and time was taken to acquaint all Members of this Legislature with the various amendments. As I stated earlier, we had the Superintendent of Traffic in attendance, as had the Legal Draftsman with us, and we went through these amendments line by line and word for word. And I am quite surprised to see at this time that there are still objections, and I would ask on "hamper" the career of drivers being used. This is not the intention of this Bill, we do not wish to hamper anyone, but we do have a responsibility and a responsibility as legislators to the Island and its people. We must ensure that proper persons are issued with licenses who are responsible and not to allow irresponsible people to become holders of licenses, and then the day we have a bus overturned with a load of school children in it, and then what would be said at that stage?

I hope that all Members of this Legislature will assume their responsibility and help me in pass these Regulations which the Traffic Department thinks are necessary, and which I am sure all Members here realize that they are necessary as well.

The age of majority, Sir, has nothing to do with this Bill, because a man at the age of 35 or 40 before he could be issued a driver's license for an omnibus must have two years driving experience. So, that would mean, that the man would have to - if at thirty-five had not driven before, he would reach the age of thirty-seven; it has nothing to do with the age of majority it is to do with experience. And I think, Sir, that experience is our greatest teacher.

I believe the one amendment here that is causing a lot of concern is in Bill 1. We reduced the age from twenty-one to eighteen years before a person could not hold a taxi license before he reached the age of twenty-one. We have now reduced the age to eighteen, when a person may be issued a driving license or a taxi license. Additionally, there are two more years that one will have to drive before they can be issued an omnibus driver's license, in other words, Sir, the twenty-one has been reduced to eighteen and the omnibus, from twenty-one to twenty.

In other countries, Sir, such as the United Kingdom, five years experience is required. We originally proposed that there would be three years, but during the debate which was held with all Members of the Legislative Assembly we agreed to reduce this to two.

The photograph, Sir, the Honourable Fourth Elected Member of Executive Council has requested that the license be enclosed in laminated plastic; this I think, Sir, is something that we can discuss with the Police Department, and I think this will be done.

It is true, Sir, that the Legislative Assembly has the authority to pass laws, but we must remember that we have to get advice from experts to tell us what we need and what we do not need. Therefore, we

HON. C.E. KIRKCONNELL (CONTINUED): called in the Traffic Department, and I do not think we have a more qualified body than the Traffic Department to guide us and tell us what legislation is required to control traffic and to prevent accidents and protect the people.

One of the honourable members mentioned that school buses have been free of accidents. Mr. President, we want to keep it this way, and I think a good way to keep it this way is to make sure that those in charge of school buses are mature and have the experience.

With regards to minor amendments, Sir, we will go into this with the Traffic Department, and I am sure we will be able to work out something which is satisfactory to all concerned.

Mr. President, I wish to thank all the Members for their contribution and the support given to this Bill. And if there are other areas in which amendments are required they will have the privilege to do so in the committee stage. Thank you.

MR. PRESIDENT: The question is that a Bill entitled "The Traffic (Amendment) Law, 1978" be read the second time?

QUESTION PUT: AGREED. BILL GIVEN A SECOND READING.

GOVERNMENT MOTION NO. 7. CAYMAN AIRWAYS LIMITED.

HON. JAMES M. MILLER: Mr. President, I wish to place before this House for consideration Government Motion No. 7.

Under our present Constitution and Standing Orders 22 (2) you are obliged, Mr. President, to give to any Member of the Executive Council moving a motion that will put a charge against the finances of this country your approval, and I am pleased to inform the House that you have so given your agreement to this and I will read the motion to the House. "Whereas the introduction into service of the BAC 1-11 aircraft purchased with funds, the borrowing of which was guaranteed by guarantee under payment to the Resolution of this Honourable House in passing Motion No. 3 of the 7th of April, 1972, when combined with other measures taken by Cayman Airways Limited, resulted in that Company's operations being placed on a sound and commercially viable basis.

AND WHEREAS the expansion of the economy of the Cayman Islands, the opportunity to develop further important air links, and a need to ensure even greater efficiency in the employment of CAL's capital and resources, make it desirable that a further jet aircraft be acquired by a wholly owned Government Corporation, for making available to Cayman Airways Limited.

NOW THEREFORE be it resolved that the Governor of the Cayman Islands be and is hereby authorised to give a guarantee or guarantees in such form as may be necessary for and in the name of the Government of the Cayman Islands, of the appropriate payment not exceeding a further Four Million Five Hundred and Eighty-Four thousand dollars in Cayman Islands currency or the equivalent in any other currency or currencies, and whether by mortgage, bonds, or other appropriate means, for the purpose of and incidental to the purchasing or lease/purchasing of a second jet aircraft of a wholly owned Government Corporation, for making available to Cayman Airways Limited".

Mr. President, I am very pleased to be able to place this motion before this Honourable House, because if Cayman Airways had not been operating profitably and had not been operating on a sound commercial basis I would be unable to present this motion today. Everyone is aware of the many things that have been said in the past concerning Cayman Airways and I am not ashamed what was said because that proves once more that we do live in a free and democratic society. But it is a great pleasure to know that the critics have been proven wrong, and that today Cayman Airways, as small as it may be, ranks in performance overall very high on the scale when it is ranked against major airlines operating, for instance, in the United States. As I make this submission before this Honourable House I will be quoting different figures and I will be giving different statistics of the performance of the Company. Unfortunately at this point I cannot present audited figures to the House because although we gave notice to the accountants and the auditing firm from the early part of this year as to what we needed and how we wanted the accounts to be set up, unfortunately they're still not done, thus I cannot give these to this House at this time. But I can assure the Honourable Members that as soon as it is available I will be tabling in this House the full financial figures concerning Cayman Airways.

The Honourable Financial Secretary in his address to the House quoted figures concerning the increase in Tourism. Tourism coupled with the financial community is the backbone of the economy of this island. We have to nurture it along and we have to treat it as we would a tender plant. Think God, again proven the skeptics wrong in the past two years our figures have remained as they never have in the past. For 1973 we will have an unprecedented year because we will have an increase overall for the year of roughly 20% percent over last year; that is a great amount of people to be coming to our little island. In order to keep this part of the business viable, to keep it vibrant we must provide the means of transportation to this country. It is foolish to think that we can depend on airlines from other countries.

HON. JAMES M. BODDEN CONTINUING: Some months ago we were told across Cayman Airways, make a deal with a foreign carrier and let them come in. If we had been so foolish as to have done that we would not be boasting today of the fine condition that this country is in financially. We would have been in the position that Jamaica found herself in a few months ago. When we were called on with just a small airline to back up the operations of Air America because they had labour problems - labour problems brought about mainly because the Company was not making the money that it should be making in order to take care of the employees. As long as a company is vibrant and is making money you very seldom have problems with employees because everybody is happy, everybody is getting a piece of the pie, when your trouble comes is when the money decreases.

We are faced in Cayman Airways at the present time with the position of where our staff, by and large, needs additional training, but we have not put our head into the sand like an ostrich, we have turned it, we know it has to be done and it will be done. At the present time we have a team of experts on hand who are past employees of Air Canada and we're sifting through every manual and every available piece of information in Cayman Airways in an attempt to bring it up to scratch. By doing this we intend to see that every employee that needs additional training in his particular field is given that training. We intend to weed out the deadheads and it would be a good thing if this policy was followed in some of the other areas of the country. It will take us some time probably to accomplish this, but in doing this we also have to look at remuneration for employees and this will come out in the later part of the debate in this House. But unfortunately Cayman Airways' wages in most cases do not compare as favourable with the Government scale of wages or even the private sector as it should do. So these are things that we who are charged with the responsibility of running Cayman Airways have to take into consideration as well as cases of employee benefits for the future.

Now, Mr. Premier/Minister, we cannot do this unless we are making money. If we do not make money we will find ourselves then probably having to ask for Jamaica to back us up as we did them, and by God's help, I hope that as long as I am in charge of this portfolio that that will never happen.

At the present time Cayman Airways and better than one third of the trips operating into this country is operating completely filled. Everyone knows that the DAC 3-11 has ninety-nine seats. We have been in the past few months on several occasions having to take out a hundred people by putting one in the jump seat. So that is the position that we find ourselves in in regards to the carrying public. We use it, not only by the tourist business, but we owe it to our own local people to ensure that there is a safe, economical and dependable airline operation into this country. Cayman Airways of its own employs at the present time nearly eighty people. After Cayman Turtle Farms it is probably the next biggest boost to the local economy. And I ask again to the Members of this House and to the public at large where would this Island be if we had followed in the footsteps of some of the idiots who said let the foreign carrier come in. We could not allow the foreign carrier in them and we cannot allow the foreign carrier in now. If we do not face our responsibility there are foreign carriers looking at this route and believe me it will not be long before other carriers will threaten their capacity on this run or we will find other carriers attempting to come in. So we must take the bull by the horns and make our move and go forward and decide that it is our country and our economy and that we are going to expand and we're going to do it in a method that can pay it.

I will quote to this House the figures since July of this year in regards to passengers carried. On the Miami-Grand Cayman route in July we averaged 57.15 persons load factor. On the Kingston-Grand Cayman route we had 88.4 percentage. The Miami-Grand Cayman route amounted for seven thousand, four hundred and ninety-seven passengers. The Kingston route for eleven hundred and eighty-seven. In August of this year on the Miami-Grand Cayman run we had 83.18 percent load factor. On the Kingston-Grand Cayman operation 88.61 percent load factor.

HON. JAMES M. BODDIE CONTINUING: I do not need to tell you that in that particular month just about every trip that was operated we left passengers behind on either end of the line. When you are operating with the capacity of that nature and that type of load factor you cannot service your route. During that month, Miami to Grand Cayman, we had eight thousand, one hundred and eighteen passengers. On the Kingston route we had thirteen hundred and twenty-three passengers. September, which is traditionally a very low month in occupancy of the hotels as well as passengers carried on the airline, we had on the Miami - Grand Cayman operation 64.62 percent load factor. On the Kingston operation 52.4 percent load factor, accounting for five thousand, two hundred and thirty-eight passengers on the Miami run, and eight hundred and thirty on the Kingston run. October, we had 82.3% percent load factor on the Miami-Grand Cayman operation. 67.89 percent on the Jamaica operation and 74.76 percent load factor on the Houston-Grand Cayman operation. Soon to figure it meant this; five thousand, two hundred and eight passengers between Miami and Grand Cayman. Nine hundred and forty-one between Kingston and Grand Cayman and two hundred and twenty-eight on the Houston operation. So far from July until October we have managed on every trip over the operation of the line 70.2 percent load factor; that is an exceptional record. There are very few airlines in any country that can boast of a performance to equal this. And I am very proud that we have been able, a bunch of novices to accomplish as much in such a short time.

Taking just a few months of the operation of Cayman Airways and applying it we find that since the new operation labour accounts for 22.3 percent of our revenue. It cost us 22.3 cents out of every dollar to pay labour to operate the airline; that means that every dollar of revenue that the airline takes in 22.3 cents of it goes into the local economy as well as a small portion of that into the North American economy. The industry average, taking the ten large airlines in the United States which are Braniff, Pan American, Eastern, TWA, United, Northwest, and a couple of other ones, this is based on records, ours compared with theirs and their industry average for labour is 30.2 percent. The lowest further than any of these airlines enjoy is Northwest airline which has 29.21 percent of its revenue going towards labour.

Fuel accounts on the Cayman Airways operation for twelve percent of the revenue that we take in. The industry average is 10.88 percent, the lowest being American Airline which operates with a fuel cost of seventeen percent. The reason for ours being low in these cases is that we are comparing fuel to revenue, and that's the point I made a while ago when I told you that no airline on a mile can boast of a seventy percent overall load factor in its operation.

Aircraft ownership accounted for 14.4 cents of every dollar taken in and the industry average is 8.82 percent with the lowest being National Airline at 8.4 percent. The reason ours is higher is because we have been forced to buy a used aircraft and we have been forced through economical constraints in finance that aircraft over a very short period of time and thankfully we do not have any taxes to which we can write it off like the other companies do in other countries that is the reason that our aircraft ownership is running so higher than the industry average.

Other operations expense amounts to thirty-eight cents out of every dollar that the industry average being 29.8 percent and the lowest being Delta with 23.8% percent.

Cayman Airways at this point can boast that it enjoys the highest revenue per employee of anyone in the industry. When I'm speaking about the industry I am not comparing this now with the smaller airlines like Air Jamaica and so forth, I'm comparing this with the large airline operating in the United States. The highest in the industry is Northwest Airline and they average seventy-five hundred dollars for employee. We average seven thousand, one hundred and thirty-one. In regards to departures handled by the CAL staff we are the seventh ranked in the industry. We rank with eleven hundred and seven departures per year or 14.5 per employee. This puts us, as I said, in the seventh rank.

HON. JAMES M. BOUDEN CONTINUING: Average passengers boarded per year on Cayman Airways, this is relating it back, per employee is thirteen hundred and twenty-three. The highest in the industry in the United States is ten hundred and forty-three which figure is enjoyed by Delta Airlines.

We have one point that needs improvement and that one I'm going to stress right now and that's one of the reasons for bringing this motion before the House. The industry average in the United States is around four hundred and ninety-five hours per year per pilot. Ours is now running at a hundred and seventy-eight. The reason being that we only have one aircraft and we have to keep four crews of pilots in order to efficiently operate that aircraft. But if we put on another plane we will reduce our operating cost in regards to wages for the crew because we will only have to employ a maximum of two more crews in order to operate the two planes.

At the present time we're enjoying the opportunity of filling the most minority cents per employee of anyone in the airline business. This is quite feat when you consider that only a few months ago the majority of us didn't know whether an airplane was a cat-boat. Pilots wages, Mr. President, at the present time is accounting for 6.3 percent of every dollar of income earned by Cayman Airways. The pilots' wages are accounting at this time for twenty-five percent of all labour costs. The lowest in the industry is Braniff Airline with other than us with 8.2 percent; this is a figure that we will be able to improve, as I have just said, by the addition of another airplane into the fleet to service the operation. I can also give you this figure, that the average CAL stewardess travels sixty thousand miles a year.

Our airport and traffic service employees' wages related to gross income is now 3.5 percent placing it the lowest in the airline industry. Our reservation staff costs us six cents on six percent of all income and we rank seventh in the industry with Pan American behind us, and in regards to passengers boarded we are now averaging five thousand, three hundred and fifty per reservation staff employee compared to National Airlines with four thousand, nine hundred and thirty-five, Transworld Airways with forty-two hundred and Pan American with two thousand, seven hundred and eighty.

One point, Mr. President, that we can really be complimented on and that is really what keeps them out to because the majority in fact nearly everyone that is a director of Cayman Airways draws really no remuneration. And by being in that position we track up with only spending 1.7 percent of every dollar for administration cost compared to an industry wide average of 6.3.

Our revenue per reservation staff on a yearly basis at the present time would average three hundred and eighty-two thousand, five hundred and sixty dollars. There is only one in the industry that is above this and that is Delta. The industry average for a break-even operation is 4.6 percent. At this point I cannot truthfully tell this House what the break-even factor is for Cayman Airways as we have not yet been able to assess all of our maintenance cost correctly. We hope in the very near future that we will have these figures available to us, but I can tell you that Cayman Airways' operating point or break-even is over the 55.9 percent.

We have several points that have to be corrected. As the final one these percentages bear us out when we compare our balance sheets to the balance sheets to the companies that I have mentioned that we are now paying too much money in the areas of communications.....

MR. PRESIDENT: I must remind the Member at this point that I have to interrupt business at four thirty.

HON. JAMES M. BOUDEN: Thank you, Sir.

MR. PRESIDENT: The Member has another five minutes to go.

HON. JAMES M. BOUDEN: Thank you, Mr. President.

HON. LINTON O. HOWARD CONTINUING: We have found another area of the operations to be expensive and this is in line with the technical help that we have had to secure from BCAL in London. This has been very expensive and much higher than we figured we should have paid. Our freight and cartage is costing us a bit more than it should be. We have to do some pairing in regard to the passenger mind - I will deal with that further on in this submission. We have done nearly everything that we could to try to come to a point where there's very little bit of food being wasted, but we have not yet gotten to the point where we've able and I doubt that we ever will be to where we will be able to say there's seventy-five passengers aboard and there's seventy-five meals.

Our general service purchases which relate to materials that are used aboard the airline in furnishing the passengers to another area, although in one sense, minor at this point but it has to be furnished.

Last year there was financial projections, Mr. President, that was done by experts to feasibility studies for Cayman Airways. At one point a report was submitted by Boeing Airways Company which said that we could operate and pay off a 727 aircraft if Cayman Airways had a gross revenue of six million, two hundred and eight thousand and four hundred and fifty five dollars a year. I am pleased to tell this House that at the point we're going now Cayman Airways will far exceed this figure. So we are coming to the point where it is making the operation look on face the present routes a viable operation.

Mr. President, I'll have about another hour in the morning, and's willing, so at this point I'd be willing to yield the floor, Sir.

ADJOURNMENT

MOVED BY: HON. D.J. DOUCE.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED AT 4:25 P.M. UNTIL 10:00 A.M. ON THURSDAY MORNING.

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON THURSDAY, 16th NOVEMBER, 1978

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.M.G. - PRESIDING

GOVERNMENT MEMBERS

HON. D. H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D. R. HARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. THOMAS BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION.
*HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALMAIN O. BANKS	FIRST ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF WEST BAY
MR. JOHN CARLTON SMITH	SECOND ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. BANKS	THIRD ELECTED MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF WEST BAY
MISS ANNIE EILDAE BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF WEST BAY
CAPT. K.P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DIVISION OF THE SISTER ISLANDS
MR. CHANNOCK EDWARDS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. MCLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

*Absent during the afternoon.

FOURTH MEETING AND AUGUST SESSION OF THE LEGISLATIVE ASSEMBLY

SECOND DAY

TUESDAY, 12TH NOVEMBER, 1970

1. QUESTIONS -

MISS ANNIE HULSAH SORDEN OF GEORGE TOWN TO ASK THE HONOURABLE EXECUTIVE COUNCIL MEMBER RESPONSIBLE FOR WORKING, AVIATION AND TRADE.

It is understood that Government has purchased and now possesses at Owen Roberts Airport a pay toll barrier system to be utilised for taxis collecting passengers:
Would the Member state -
(a) the cost of this equipment
(b) when it is proposed to put this into operation.

MISS ANNIE HULSAH SORDEN OF GEORGETOWN TO ASK THE HONOURABLE FINANCIAL SECRETARY RESPONSIBLE FOR DEVELOPMENT AND FINANCE

Will the Member state the amount of revenue derived from the following sources from the 1st day of January, 1970 up to and including the 31st day of October, 1970:
(a) Gainful Occupation Licenses (Work Permits)
(b) Fees and Annual Returns from Companies
(c) Fines from Court Convictions
(d) Land Transfer Tax (Stamp Duty)

2. GOVERNMENT MOTION NO. 7 - CAYMAN AIRWAYS, LIMITED - MOVED BY HON. JAMES M.BODDEN (TOURISM)

3. DEBATE ON FINANCIAL STATEMENT (APPROPRIATION (1970) LAW, 1970)
4. The Customs (Amendment)(No.2) Law, 1970 - FIRST & SECOND READINGS
The Petroleum Handling and Storage (Amendment) Law, 1970 - COMMITTEE THEREOF
The Agricultural and Industrial Aid Law, 1970 - COMMITTEE THEREOF
The Land Holding Companies Stamp Duty (Amendment) (No.2) Law, 1970 (AMENDMENT NEEDED.
The Traffic (Amendment) Law, 1970 - COMMITTEE THEREOF.

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THURSDAY, 16TH NOVEMBER, 1978

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

QUESTIONS

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR TOURISM, AVIATION AND TRADE.

No. 1: It is understood that Government has purchased and now possesses at Owen Roberts Airport a pay toll barrier system to be utilized for taxis collecting passengers:
Would the Member state -
(a) The cost of this equipment.
(b) When is it proposed to put this into operation?

ANSWER:

(a) The cost of the pay toll boot barrier system to be installed at Owen Roberts International Airport is $8,878.00.
(b) This equipment will be put into operation after improvements have been made to the present car parks and the road to the Freezy Castle area. It is anticipated that this will be completed early in 1979.

MISS ANNIE H. BODDEN OF GEORGE TOWN TO ASK THE HONOURABLE FINANCIAL SECRETARY RESPONSIBLE FOR DEVELOPMENT AND FINANCE

No. 2: Will the Member state the amount of revenue derived from the following sources from the 2nd day of January, 1978 up to and including the 31st day of October, 1978:-
(a) Lawful Occupation Licenses (Work Permits).
(b) Renewal Annual Returns from Companies
(c) Fines from Court Convictions
(d) Land Transfer Tax (Stamp Duty)

ANSWER: (a) $ 886,955
(b) $2,802,198
(c) $ 89,130
(d) $1,456,625

MR. PRESIDENT: If there are no supplementaries we can conclude question time.

GOVERNMENT MOTION No. 7 - CAYMAN AIRWAYS, LIMITED - (CONTINUATION)

HON. JAMES M. BODDEN: Mr. President, at this stage I would like to be able to give to the House some comparative figures in the operation of Cayman Airways in 1978 compared to 1977.

Passenger revenue in July, 1977 was $383,596; in July, 1978 it was $440,818.69 which is a fifty-seven percent increase. Freight revenue for July, 1977 was $43,130.30, and July 1978 - $55,209.27, an increase of twenty-five percent. Incidental revenue in July, 1977 was $16,741.52; July, 1978 was $43,787.52, an increase of one hundred and sixty-two percent. Flying operations, July, 1977 was $168,161.99, and July, 1978 was $160,000.31, a decrease of about four percent. Hours flown, July, 1977 were one hundred and thirty hours, and July, 1978, one hundred and thirty-four hours. The loss experienced in July, 1977 was about $33,000; the profit in July, 1978 was about $78,000. Primary overhead expenses July, 1977 were about $28,226.00, and July 1978, were $22,512.39 or about $700.00 less and carried about fifty-seven percent more passengers.

HON. JAMES M. SOUDER (CONTINUING): I could go on in many respects with this, but I don't think at this point it is really necessary. I would just state that coming December the 1st, God's willing, we will be taking over all of our operations in Miami, and they will be under the direct control of Cayman Airways, and in some cases, it will be manned by Caymanians. The reservation system is a very modern system, it is tied in with the Delta system on a console TV set up which will give readily available information for airline connections and boarding gates throughout the Delta system in the United States of America.

We have hired Mrs. June Elliot Bodden to head up the reservations centre in Miami; in addition to that we have hired Lana Jackson as a secretary, Treaty Mae Glidden in the reservations department, Darleen Hurleton in the reservations department, and Sarah Conell in the reservations department. In addition, we have Mr. Henderson in Miami as Station Manager. And by December the 1st, God's willing, we hope to have our own two counters at Miami International Airport, and we hope to be able to staff that with some Caymanians who we can send from the Cayman operations in Grand Cayman on to Miami.

The accounting system which we had to make a deal with on a Contract with Air Florida - that winds up on December the 1st and we will then be taking back the accounting services and doing it at our offices here in George Town.

We're in the process of obtaining around the first week of the year, a freight plane which is a DC-6 from Rich International Airlines to operate our cargo operation. This is proceeding along the lines that the direct payment for the aircraft will probably run in the neighbourhood of about $3,000 a month less than we're paying at the present time by leasing it. So, in a period of a few years we would have owned that aircraft and saved quite a bit of money from what the expense is at this time. And the cargo operation is expanding rapidly, and according to the present figures, if they keep up until the end of the year, Cayman Airways will probably transport over five million pounds of cargo from Miami to Grand Cayman in the year 1978.

I would like at this point to give a little bit of information in regards to the utilization of the aircraft. We must remember that when an aircraft is put on the airport ready to depart, there usually is about forty-five minutes to an hour that goes into the preparation of that aircraft on each leg of its journey, so the actual flying hours will not really denote the amount of time that that plane must be rostered. If we were in a position at this time to work our schedules so where they could all coincide without too much of a break in them, and if we did not have to do the maintenance in Miami as we have to do, we should be rostering out of Grand Cayman approximately two hundred and seventy-three hours per month. In the airline industry, two hundred hours per month is usually considered about tops for an aeroplane, and that is usually when you're running it on one straight run; for instance, Miami to Grand Cayman then around, back to Miami, back to Grand Cayman - doing it that way you can easily get the two hundred hours. But as our route is much more expansive than that, and we have to operate between Houston and here and then into Kingston, Jamaica, it means that we cannot fully roster the aircraft to that amount of hours. So the best that we can do in order to be able to service the aircraft is to figure on the neighbourhood of one hundred and eighty hours per month as being tops.

Business has expanded to the point where the Miami operation can easily take two trips a day back and forth. The Kingston operation has been reduced to two days per week. At the present time, the Houston operation is two trips per week. We have been told by the officials there that we should be figuring at least four trips per week and, our reservations are fairly well bearing that out, because as you know the aircraft is limited as to the load factor in taking-off from the Airport here due to the short runway.

On November the 26th the aircraft is booked on the Houston operation with a full load of eighty passengers, and in addition to that we have one hundred and twelve on standby - so you can readily appreciate the position that we're in and why it's important at this time that we expand as rapidly as we can.

If we were to expand into the Houston operation four trips per week then we would be up to about two hundred and seventy-three hours

HON. JAMES M. BODDEN (CONTINUING): of utilisation per month. This is where the second aircraft comes in. We would have to be figuring on the DAC 1-11 that is presently in operation by between the Miami and the Kingston run we would be running that for about one hundred and sixty hours per month, the rest of the time would be the increase in the Houston operation. This is probably where the other aircraft would fit in. In addition to this, we hope to be able to obtain quite a lot of charters in the coming year. The past year there have not been as many charters out of the United States and Canada as it was in the year before because some of the promoters met with untimely deaths and the promotions fell flat on their face. This year we hope that that market will expand and there is a very good chance that we could be in the position of getting at least one charter per week.

In addition to that we are carrying on at the present time negotiations with another Island in the West Indies, and we will probably - some-time in the first of the year, come to a contract arrangement to operate that run. Should we do that, that is going to mean an additional seven or eight, eight hours, I think it would be, per day, or per week rather, on that operation. We're also hoping that there are some other routes in the immediate area that we could take advantage of - you may say that we should not be looking afield for these other routes, but if we're going to have the two planes it is going to be necessary for us to run additional routes in order to have the full utilisation. There is no use of us getting in the position to where we have the two planes and not enough work for them. At the present time, we can readily scrutinise out of the operation by expanding the routes and increasing the amount of runs into these areas, we can easily handle two aircraft, but if we're going to make a profit we may have to look for additional routes or some charters.

When I say a profit, I'd like you to bear in mind one thing, that we are making a profit even if we just break even because we are covering the expense of buying the aircraft into the operating expense which was not done before. And this means that even if Cayman Airways for the month would break even in the balance sheet, we would have been able to have gained on that month the payment which is being made for the aircraft which hopefully one of these days will belong to the Cayman Islands Government.

I seek your support, I am fully convinced that this is a worthy effort which must be made and if we are to succeed and make a success of this as well as other things, then we must make the move at this time.

So I thank you very much for your support.

MR. PRESIDENT: The motion is:-

"NOW THEREFORE be it resolved that the Governor of the Cayman Islands be and is hereby authorised to give a guarantee or guarantees in such form as may be necessary for and in the name of the Government of the Cayman Islands, of the aggregate payment not exceeding a further Four Million Nine Hundred and Eighty-Four Thousand Dollars in Cayman Islands currency (CI$4,984,000.00) or its equivalent in any other currency or currencies, and whether by mortgage, bonds, or other appropriate means, for the purpose of and incidental to the purchasing or lease/purchasing of a second jet aircraft of a wholly owned Government Corporation, for making available to Cayman Airways, Limited."

The motion is open for debate.

MR. JOHN B. McLEAN: Mr. President, I rise to support the Motion before this Honourable House. I do feel, Sir, it is unfortunate that we have to make among ourselves as we did a few months ago.

I too, see the demand for a second jet aircraft. I know it is very important for our economy especially since we have opened up an office recently in Houston, it means a lot to keep in touch with the tourists, but Mr. President, there is only one thing I would like to suggest, and if at all possible, I feel we should stick with the same type aircraft that we have today. This, I feel Sir, eliminates cost of further training, parts would be in common, and more so I feel we know the present aircraft.

MR. JOHN B. McLEAN (CONTINUING): I feel at this time, Mr. President, that idea of getting a bigger aircraft would be a wrong one because we need to consider that while the present aircraft is running full, if the second one is bought, we cannot expect that both will be running at full capacity.

Along with that, Mr. President, as I understand it, it takes more crew for a bigger aircraft, and at this time I think we should endeavour to keep the cost as low as possible due to high mortgage rates, and also Sir, I think that at a later date, perhaps when we are well established in the new route which is the longest one - to Houston - when its well established and we can see that there is great demand there, I think that will be time enough to consider purchasing a larger aircraft.

Our main route at present, Sir, is in the United States, and I think we should face the fact that sooner or later there is a fast coming depression there, and if that comes about and the main route is closed, we should consider what will happen to the aircraft.

So, Mr. President, with these few remarks as I've said, I support the motion, and I hope and trust that some thought will be laid upon what I've said.

CAPT. KEITH P. TIBBETTS: Mr. Fxecident, I stand here today prepared to oppose this motion. I probably will be the lone voice in the wilderness saying, nevertheless I will give a few of the reasons.

If it is recalled, I was the first person in this Chamber to stand up and say the time had come when we should separate from CAUSA. I am proud of that statement because, I as an employee of Cayman Airways for over fifteen years knew quite a lot of what was going on. But I must oppose this motion at this time because my constituency is not recognized.

There are no definite plans of bringing jet services into Cayman Brac. No doubt this is going to try to be contradicted, but we have an Airport that is four thousand five hundred feet long approximately with plans to increase it to where it should be able to take an aircraft of that type, but up until today we have no approach lights, we have no landing lights of any kind. The common name for lights are Vasi lights which give the pilot a glide pattern to know exactly his height for coming in to approach that runway. Still we see and we hear that in Grand Cayman they're spending money to put in a new system of communications in approaching the Airport in Grand Cayman - another set of Vasi lights for the other end of the Airport, but still there are no Vasi lights being thought of for Cayman Brac, and the lives of the people of Cayman Brac are just as valuable as any other people, therefore, I cannot support it. And, it's quite a distance in the future before an aircraft of this type is going to be brought into Cayman Brac, if it ever does.

For instance, I understand that the Contract had been signed with Red Carpet Airlines to operate between Grand Cayman and Cayman Brac for two years commencing the 1st of June this year, therefore, there are no definite plans of putting a jet aircraft into our Island. And I cannot support it, and I couldn't face my people if I supported it knowing how they feel about how they have just been treated here last month when the big splash was made in Honduras, not one person from Cayman Brac was invited on that flight. I can assure you that if they were invited they have kept it a secret because I've heard dozens and probably hundreds of people talk about it, and no one knew of any one being invited.

I personally had no strong ambition about going, I was honoured and invited to go on the inaugural flight to Miami, but that is not exactly the situation. When the money is collected for the Government, Cayman Brac is called upon to pay her share when the money is going to be spent, Cayman Brac should get her share as well. Cayman Brac and Little Cayman are forgotten most of the time except when it comes to collecting money.

It was said in this House by one of the Honourable Members not too long ago that the Cayman Islands extended from the seven mile beach to Cross Road, and I'm wondering if that one's still true.

I, as a businessman realize and feel and I know that to improve our service to make it a real viable proposition we need more planes. I fully support the idea of getting the DC-4 for a cargo flight

CAPT. KEITH E. FIBERTUS (CONTINUING): but if you notice we mention is ever made of that DC-3 coming in to Cayman Brac. We have a fair amount of air-freight that has to come to Grand Cayman, we pay our freight from Miami to Grand Cayman then turn around and pay an equal freight from there to Cayman Brac. If this was given proper thought, I believe on several days each month that instead of bringing the DC-3 into Grand Cayman with freight, bring in a C-46. A C-46 can handle Cayman Brac very well, they have been there probably fifty times or more with freight.

And, if we, the people of Cayman Brac and Little Cayman are going to be considered, why can't these things be brought up as well that Cayman Brac and Little Cayman can be serviced by a freight service. There is no reason why the freight can't be assimilated to one flight per week or one flight for every two weeks as the case may be, and it is unfair to us to request us to support this motion knowing that we are not recognized. As far as another jet aircraft is concerned I believe it is going to be necessary, I don't know if it is necessary now because with the pending recession in the United States, that is what the economy of the Cayman Islands is based on. It's not based on tourism, it's not based on Company Registration, it is actually based on the financial situation of the United States, that's where the money comes from, that's where it goes to, that's where our people come from, that's where they go back to, therefore this is a time that everyone needs to put caution first and foremost.

So I cannot support this idea at the present time, maybe later on after we have proven if Cayman Airways is a viable proposition and we see what things are going to be like in the United States with the recession over there, the recession that they have projected, then I will agree that we should stand responsible for this money to increase or to buy another aircraft. If we have to buy another aircraft I would certainly support the idea put forward by the Honourable Member from East End that we must stick to one type of aircraft not to go and get two or three or four different kinds.

An example of that is if a person has two cars in their yard, they have two different types of cars, that means they have two sets of maintenance because if they have a Ford and a General Motor product well they have to have different parts, and the same thing applies to planes. Therefore, if it comes about that they have to get another plane and it is agreed on in this House, I will insist or ask that it be a plane exactly like what we have now. So I stand here to oppose it at this time, and I have given some of the reasons, I could go on and give a lot more, but they are the basic reasons and I trust that Members will accept it as a constructive opposition to the motion that has been put forward.

Thank you.

MISS ANNIE M. BODDEN: Mr. President, I suppose I'm the chief of the idiots that was referred to yesterday because when this proposition was put forward first about buying a plane I opposed it. They say I was instrumental in spear-heading a petition on the subject - that is not true, I did not spear-head it. But I felt, and I still feel up to a point that we had a good service with LACSA.

We were told very often when we inquired in regard to the operation of LACSA that it was not our business, and I've had the same reply since the CAL has been in operation, that it's not my business. I was told by a very prominent businessman in George Town that the man responsible for Tourism, Activism and Trade was doing that to boss me. Well, I really don't understand the reason but it didn't bother me because personally, I have no use whatsoever for aircraft, but I will say that we cannot now go on without air service.

I said on the Airport the afternoon that the recent flight returned - I saw a beautiful large plane on the Airport, somebody said it was a 727, I don't know - I said that when Cayman Airways acquires such a plane I will be taking a trip to Houston myself. But I must agree that since we are in the process of talking about getting another plane that we should get one similar to the one that we now have in operation.

MISS ANNIE S. BODDEN (CONTINUING): I have heard people remark that it gone so fast and makes so many trips they haven't got time even to put a little three-in-one oil on it. Well, I feel that is not good enough. I feel that an aircraft should be serviced, and I'm sure that it is maintained up to a point, but running so swiftly I'm sure that it does not have time to have a proper overhaul.

Now, I suppose and I'm sure that a lot of these Members here feel that I shall oppose the acquisition of a second aircraft. I will not oppose it, I promised not even to speak, but I will say that if we have this Houston run and the business is there we should make provision so that this aircraft that we have will have a spare period, I should call it. And by the way, last I forgot it, while we are acquiring aircraft I hope that we do have proper people to man that Airport who will not endanger the lives of people.

Only this morning I heard that over two hundred pilgrims were killed in an air crash. If all the street talk is true we could have the loss of the lives of one hundred and seven people Saturday night. Now, I feel that, I do not know who is responsible for manning the Airport, but I feel that proper supervision should be given and people who are supposed to the job, should be there regardless of Pirate Week or any other kind of week. And I feel that we who are responsible should insist that anyone who disregards their job for pleasure - they be asked to find another job - regardless of who it is; if it was Annie Bodden's son, or my brother or my husband or my son or who he was - I would say, he needs to be replaced.

So, while I'm not objecting to getting another plane, I feel, as has been said that every precaution should be taken to see that we have a proper plane on this run. About the crew, if we have crews now who are trained, they can easily take over the second plane when it's put in operation. I feel, Mr. President, that we have gone a long way and we should not be expecting more than we can afford. I quite realize that the more you get the more you want - that is an experience in life that I personally have found to be very true - the more you get the more you want.

Forty-one years ago when the Britain was wrecked on these shores, prior to that we in our household were very content when we got one quart of kerosene oil per week. Well, the first time we were had a little oil given which was the remains in the 1932 storm, and the kerosene oil was in abundance all over the road and street. I said to myself if I could only get one tin I would be so happy, I got that one, I said I'd like to get two - finally I got six, then I thought to myself I'd like to get a drum. I paid one pound for that drum, I still was not satisfied, I said let me get some more - I finally got them. Now, I proved by that instance that the more you get the more you want. When you haven't got anything, you're very happy with it but the minute you get one you want more. Well, I'm sure that will eventually have in our minds getting more than two planes, and if it's necessary let's get it but let us be very cautious.

I feel that Cayman Brac, if what has been said in this House, if that is a fact, they're not being treated right. Now Cayman Brackers are valuable to the economy of our Island as we Grand Caymanians are, or call ourselves Grand. I feel that they should have consideration, and what Members from Cayman Brac were being invited on this Houston run, it's not correct. Personally, I don't want to fly anywhere but I feel that every Legislator in this House plus the Official Members should have recognition when it comes to things of this sort. If I were left out it wouldn't bother me the slightest because I do not like to fly, but I'm a human being, I would feel very resentful if I knew other people were asked and I was ignored and I quite appreciate how the Member from Cayman Brac feels over the matter, and when this new plane is put in operation and they're having some more pleasure flights, I would say that every Legislator should take plus His Excellency and the Official Members to go on this tour.

Now, I'm going to support this Motion although I have been called an idiot, I'm not an idiot, I'm a good sound, sane, sensible business woman, seventy years of age and more, but I believe in living according to my means. And, if our Government is only asked to, as it were, back up this vote then I will support it. In the meantime I feel that we should use the

MISS ANNIE H. BODDEN (CONTINUED): accounts of this DC quarterly, half yearly, yearly or whatever may be the time when they are accounted for and audited. I don't want to hear when it comes that we have no business with it, and because Annie Bodden is requesting these accounts, that's an idiot. I am saying that it is our duty to have the accounts presented to this House and laid on the table for inspection, and I don't think I'm asking anything wrong, after all we are the people's representatives, and the people of these Islands should be considered. When we are using taxpayers' money, we are not using our own money, we are using the whole Cayman Islands' money. Some of them have to go to the limit sum to pay the hand bar which is paid, whereas we have the slightest little thing imported, they have to fund money to pay it; we should use our money cautiously, and to the best way possible.

Now, I don't know anything about airline operation but I fear that we might be over-staffed, I've heard people say that they have gone to these offices and they see there on four people doing nothing, combing their hair or powdering, as the case may be, and one or two doing the work. I feel that we should not over-load any office in this Government with extra people who are not working. We need to know that if we expect a pay at the end of the day, or month or week, as the case may be, that we must put our all into it.

And, finally, I feel that we here should work together in unity. Now I know that I am not very popular in this Assembly, in fact I've been told that soon that you're gone, we don't want you any more, you and the man from North Side, you two are too old to be any good! Well, all I only wish that the generation who is coming after us will be no less useful than us have been to our country.

Thank you, Sir.

MR. BLANCH D. EBANKS: Mr. President, I want to support this Motion again, Sir. I supported the first Cayman Airways plans because I felt then that there was a business and we should have been enjoying it ourselves. Now that it has proven that it is a business and a growing one, I see the need for the second plane, Sir, so I'm wholeheartedly supporting it. I was told when we were talking about getting our first plane, some of my people from West Bay, that I am a fool to be supporting it, I was also told much the same thing by other people from different Districts, but I have this to say that some of those people have come back to me and said that you know you were right, you people have done a good job, keep it up. So I feel that since we are doing a good job and we have a good business, let's continue with it. Even though are we right I can't see that we will have any failure, and I trust that with the help of God, that we don't, so this Motion has my full support, Sir.

HON. C. HALT BODDEN: Mr. President, I need not say that I support the Motion because I feel that if I hadn't fully strong we wouldn't have had the first plane, but I do share the doubts of Members who have spoken, while I support this Motion. I know there are certain risks involved and we have to bear these in mind; at the same time if we're not willing to take some risks I feel that we will not move forward.

It would be good if we could get another aircraft identical in every respect to the one in operation, this has certain distinct advantages which need not be emphasized, but purchasing a second-hand aircraft is similar to buying a second hand car, in that, if you were to draw up specifications as to colour, type of wheels, upholstery, engine, model, year, one may never find this specific car, particularly if one should be willing to pay the price which should be paid. In purchasing a new one one can outline specifications which can be met by the manufacturer/dealer, one is going on the open market to purchase second-hand equipment, one mostly has to buy what is available.

Members will recall that on the purchasing of the BAC 1-11 Cayman Airways had found a 727 which they thought would have suited the run but when it came down to the last minute this particular aircraft, suitable, though it was, could not have been delivered until September, and so Cayman Airways purchased a BAC 1-11 which is suitable, very suitable in many respects, for the short hauls between Miami, Cayman and Kingston. It is no

HON. G. BAIG BODDEN (CONTINUING): secret that Cayman Airways has been looking at the purchase of a BAC 1-11 and had found one, and I think Members should know that this aircraft is presently owned by LACSA. LACSA does not know, I believe, that we were about to purchase their aircraft since it was being done through BCA, but we have been informed this morning by BWIA that LACSA will not sell this particular craft because they have problems of their own, a problem brought about by the recent crash of one of their four BAC 1-11's, a problem which has been aggravated by the imminent entrance of Eastern Airlines into the Costa Rica/Miami run, and a problem which because of increased traffic between Costa Rica and Miami, LACSA itself is not selling aircraft but is looking around to purchase more aircraft. So at the present moment BWIA has advised that there is not a single BAC 1-11 available either for sale or for purchase, so no matter how much we may like the BAC 1-11 and no matter how suitable it may be, we may be forced by circumstances created by that well known problem of supply and demand to look for another aircraft, so that even if every Member of the Board had in mind that they could have or should have the BAC 1-11 (200) none might be available.

Now, while an identical second aircraft would be the ideal situation one must remember that there are certain distinct advantages in owning a different type of aircraft, and right on the surface you may know that if one purchased a F27, Northern Airlines would be prepared to maintain it as they have in Miami one of the largest facilities for maintenance. At the present time we use the Air Tek services for maintaining the BAC 1-11, but with one aircraft only, we could be put out of business temporarily if there were a strike in Miami of the Air Tek maintenance crew. So, having another aircraft maintained at another depot, we would be in a stronger position if a strike should arise; it would actually take two strikes to put us out of business. Also, in having a different aircraft not because we are entering in runs of different lengths we would have additional flexibility in having a medium range aircraft that could better serve and more economically operate on the medium run to Houston or Tampico to Tuxtla, etc. So, it is a matter that has to be weighed in the balance to determine whether we are better off having two aircraft of identical specifications or having two aircraft of the similar specifications - there are two sides to the story.

One Member mentioned the service to Cayman Brac. I have just received a paper indicating that the oil operation in Little Cayman will be taking a definite turn towards speeding up the construction, and this means that not only Cayman Brac, but Little Cayman, one day in the future will have to be serviced by jet aircraft and be supplied with an Airport that can take jet aircraft. However, until these islands can support these services it would be stupid indeed to put them in, but for several years now Government has been looking at the extension of the Cayman Brac Airport, and of the upgrading of it in order to provide a jet service. One has to look no further than the Estimates which were presented yesterday to this House to see that this is true. The actual expenditure in 1977 on the Airport at Cayman Brac was one hundred and fourteen thousand four hundred and one dollars. In 1978 the revised expenditure on the Cayman Brac Airport was forty-five thousand four hundred and seventy-five dollars, and in 1979 the expenditure on the Cayman Brac Airport will be three hundred and four thousand one hundred and sixty-six dollars. In addition to that we have already committed and will be paying out the balance during 1979 of one hundred and twenty-four thousand three hundred and ten dollars for the purchase of land for the extension of the Cayman Brac Airport. So, this makes the total expenditure over the years 1977, 1978 and 1979 of four hundred and eighty-eight thousand three hundred and forty-four dollars. In addition to that on Page 235, Item 65 of the Estimates, there is another thirty-eight thousand four hundred and nine dollars for Cayman Brac and Grand Cayman Airports, and this will purchase for Cayman Brac a Water Tender for the Airport, so in all, over six hundred thousand dollars have been spent and will be spent for the improvement and the upgrading of the Cayman Brac Airport.

HON. V. MAIN BODDEN (CONTINUED): The Airport in Cayman Brac is now four thousand feet in length, the money that will be spent next year will bring it to five thousand feet in length, and it is the hope of Government that if money is available, the Airport in Cayman Brac can be brought up to six thousand feet; the Airport in Grand Cayman, at the present time is only six thousand feet. So, there is abundant evidence that Government is looking at the bringing up of the Cayman Brac Airport to a standard suitable, and a length required for the operation of jet aircraft.

In addition to the five mpins which was mentioned for the Cayman Brac Airport provision has been made for the purchase of new navigational equipment, and I must say that Cayman Brac seems to have fared quite well in the budget this year, and if Members will recall that on my first day in the House, the 18th of December, 1972, I brought forward a Motion for the improvement of the economy of Cayman Brac, so, it has always been the intention of my colleague from Bodden Town and to see that Cayman Brac is well treated and that Cayman Brac receives, despite the small size, a fair portion of the money which is available to be spent, and also, we were amongst the early supporters of the Oil Terminal in Little Cayman. So, whatever is needed to service these Islands will be available. I only have one worry moment about it, and that is, that we could not instantaneously as if by magic, give the Cayman Brac people everything they want, but I feel that we will do whatever is within our limits to see that the services to Cayman Brac are improved over the coming years, and I give my personal assurance that at least for the next two years, unless I die or become disabled, I will continue to support the Member from Cayman Brac with whatever requests may come forward for Cayman Brac.

And, to conclude I would say that there is a big reason why this Motion today was necessary, and that is, that not only do we need to serve the existing routes but we also need to guarantee that some craft will be available if anything should happen to the one that is operating and I feel that the Motion before the House is a necessary one and I would ask all Members to give it support.

MR. CHAIRMAN: Mr. President, I don't know that it's very much that I can say on this Motion or should attempt to speak on this Motion. I remember well when we were dealing with a similar motion a few months ago, we were then in the middle of [illegible] as to whether to support the feelings of the few on the outside or the majority on the outside. What are saying that the last thing we should attempt to have is a plane. It seems to be reversed now, as every corner the public is saying, "we need another plane".

One Member said this morning that the more we get the more we want. I have noticed for some time a lot of shops here are being renovated, expanded, extended, some are buying bigger banks because it must be more business, it must be more money to house. Well, that is the main intention in business - for it to grow, to expand, and when it's not doing that then it doesn't remain a business very long. The same was said about the plane, "how are you going to manage with one plane if that one should break down, wouldn't you need another plane?" Well, it's true, I always say that one of one thing, anything, it ain't any good.

So, we should out with one that we owned for nine or ten years in debt, we took on the responsibility and the load of owning one of our own and, according to reports over the air, and I hope it's true, that even in the first month when we didn't expect any profit we had some ten thousand dollars profit and everything, it still seems to be growing. So, it is a demand if we are to continue to serve the people, the country, and make a viable business, then we do have to give consideration to expanding and improving more areas.

I, somewhat could go along with Members that said it would be good if we had the same type aircraft, probably it would be best in ninety-five percent of the cases, but if we can't do better do and we can find for some other reason some will be reasonably good and is suitable than it's nothing wrong, I suppose, in having another airline of another name or another make.

MR. CRADDOCK EBANKS (CONTINUING): I feel that with our young men that have gone out and qualified in this field to achieve what they have done over the few years, it is an ideal ability to master another aircraft in a few weeks with preliminary training, so I don't think that would be too much problem to us. Well, I, Mr. President, can only give my support to this Motion and trust that it will all work out well and favourable. I could go on and on and say a number of things but I don't see that it's necessary at this stage because from the Budget Address yesterday that has covered and cleared so much of what was captured by so many people to be a suffering country in this year and the year ahead, because to the best of my knowledge, I will say this subject to correction, it's the first time that the Honourable Secretary named items into his Budget Speech that the consumer would get the benefit of, by exemption of duties. There have been times that motions were brought to the House for exemption on the commodities of daily use , and subject, as I said, to correction, it's my first time to remember the Financial Secretary in his Budget Speech naming things that would be exempt of duty, and to look that he assured the people there is no thought of increased taxation. So, we must be on a sound footing, we must be in the position that we can launch out a little further in deeper waters - I suppose it's a good way to learn to swim when your feet can't touch. So, I give my whole support to this, and as I said, I feel that it will all work out.

Thank you, Sir.

MRS. ESTHERLEEN EBANKS: Mr. President, I too rise to support the Motion before the House. It was quite unexpected to listen to the Report given by the Honourable Member of Executive Council, and I feel that we have a business in Cayman Airways, a growing business, and if there is a necessity for another plane then we must face our responsibilities, stand up in any business venture, and we must realise that there is a gamble. Certain times we make it, sometimes we don't. But according to figures quoted by the Member, I feel that Cayman Airways can be a success, and one of these days, maybe we will not be here, but instead of two planes we may need ten. I have taken into account certain things said by the other Members that we have to be cautious and I agree with them, but we have to take chances too, and I feel that with good management that Cayman Airways can be a very good business and will boost our economy and help out our situation in the long run.

Now, I'd like to speak briefly that regardless of how good a service we have or how good a plane we have, without good services on the ground our plane will be no good. I join with the Lady Member when she spoke about the incident on Saturday night, because I happened to be on the plane on Saturday night, flying over them, seeing no lights on the runway and hearing from the pilot that he could get no radio contact with the ground, it didn't frighten me because I like flying, and I realised that sooner or later that someone would come to our rescue, and I had confidence in our pilot that he would be able to bring us down somehow. Now, I feel that the Member responsible should take a very stern look at this fact because without good people on the ground, a good aeroplane in the air isn't much good all the same. If this person, like the Lady Member for George Town stated, whoever they may be or whatever it is in charge, is not responsible, then it's time to get rid of them whoever they are, because it would have been that that plane didn't have much fuel, in the case, it did have fuel, and we would have somebody not only that but we have to take into account the money that was wasted in those minutes of flying around. We have to be careful in our Tourism, every penny counts, and if two hundred or three hundred dollars was thrown away on Saturday night, we have to remember that these type of situation waste money. And I feel that even if this person responsible does not lose his job then he should be made to pay for the amount of fuel, whatever, and the cost of keeping that plane in the air. With these few remarks, Sir, I support the Motion.

Thank you.

HON. NORMAN H. MORRIS: Mr. President, an optimist sees an opportunity in every calamity and a pessimist sees a calamity in every opportunity. Those are the words of Sir Winston Churchill. In this society a politician must be an optimist to avoid financial stagnation, and the decision that is taken on the resolution today in relation to the lease-purchase of a further aircraft is one which I'm happy to say that Members have taken a very optimistic view on. Mention was made, quite rightly, of prediction of a probable recession in the United States. However, at present with several thousand jets in the air there is at present only one jet available within the area of the medium range jets to the short range jets, so that the market in jets is undoubtedly the most optimistic that has ever existed. If a situation does arise in which there is a problem with the market or with the recession it will be one which arises with a period of notice and not something that would be coming on within a matter of a week or two, so that sufficient notice would be given, and if necessary the jet which is, or at least while it goes into a balance sheet as a fixed asset, it is not fixed in the sense of being a building or for instance the part in which plant is or machinery. There always has been and there continues to be a market for jets, and I would just mention this as one of the answers to what some of the Members have quite rightly raised in relation to a recession. Along with this, Mr. President, is the fact that the jet which we paid three point six million or three point seven million for about six months ago, one similar to that has just been offered for four point six million, so somewhere along the line there has been a probable increase in market price ranging between three-quarters of a million to a million and a quarter dollars.

If there was ever a product that supply has not caught up with demand and probably will not catch up with demand, then it is the story of the jet and especially of the smaller jets such as the 727, the I-11, the 737, the DC-9's and this category of jet. I too agree that it is important to ensure that the feasibility, economically, and from the engineering point of view is there. While it is good to live in the realm of possibilities, realities normally come within the area of probabilities, and I think on this occasion the Member has mentioned that there can be sufficient utilisation of a second jet. In any event there is a built-in flexibility that should operate in the market area it can be put back in the market, and in any event it would be under a lease-purchase agreement. I once again agree with the Member that it is important to stay with the type of equipment one knows and one is geared to deal with. However, the problem with the market of jets or the jets is one which is very unpredictable as to the type of jet that comes on the market. The variations within any one airframe or mill of a jet can be very wide both as to the maintenance schedule that it operates and also as to the type of accessories within it, and it is normally never very easy to find exactly what one wants. What we did with the present 1-11, is to buy it as the Customer goes, no do, and then one builds it up and puts in the equipment that is peculiar to the type of service that one wishes to run.

I would just like to mention some of the advantages of a separate aircraft always bearing in mind the disadvantages which the Member has mentioned. It gives us flexibility in the fact that we will then, if we get a 727, have a medium range jet which can use six thousand feet of runway or runs, say within the fifteen hundred to twenty-five hundred mile range. It also would be serviced by a separate company so that one of the few external factors to control within the Islands, and a vital factor, the maintenance company, would be in the hands of two separate companies, thus giving the advantage there. A part of that disadvantage may well be, it may mean either more foundation or a bit more work or a bit more administration. Similarly, if there is a stoppage in parts by the manufacturers of one aircraft it is very unlikely that there will be the same for the second aircraft. In relation to the crew, as I understand it, we now have four full crews of two officers to the crew and it would be necessary to add a fifth crew which we would need for the 727 in any event, but it would also mean adding three flight engineers to the crew, if it was a 727 that was been purchased. One factor which has not been touched on before, and I think goes to the heart of a purchase or a lease-purchase either of the second aircraft is that it can be

HON. TRUMAN M. BODDEN (CONTINUING): operated for approximately fifty percent to sixty percent of what the first aircraft can be operated at. This again illustrates a point of having only a very small percentage increase in the financial expenditure in the indirect costs which include matters such as administration, airport facilities, and those sort of things. So that one can really operate if you attempted to isolate the two jets from a financial point of view, operate the second jet within the structure that has been set up for the 737 one at perhaps only ten percent above what the direct costs are. And, as the Member for Tourism has pointed out, our overhead costs are high in some respects and I believe that it accounts for some fifty-five percent of the expenditure on that operation as a whole. One advantage that we have is that seven years down the line, the jets at that stage should be unencumbered and will be owned by Cayman Airways. A very good example is what the Member for Lands and Agriculture has mentioned to that a jet which was perhaps purchased for three million back some three or four, five years back which has operated and made a profit over five years is now worth perhaps the same or far more than it was worth when it was purchased at that stage. So in all probability, and I believe that in the future it can only be an increase in air travel rather than a decrease then as the demand rises and the supply ceases to catch up with that demand, there must be an increase in the price/there's arguments as to types of engines, the noise regulations being brought in by the U.S.A.; but many of these jets carry with them connexion bits, and especially in this instance the 727 has been labelled as equivalent in flexibility and demand as the DC-3 of the past has been. I know there are many of them flying at this stage and more widely used than any other type of aircraft.

Referring to what the Member from Cayman Brac mentioned, I have mentioned to him that I feel some responsibility to comment on that since I have attended several public meetings in Cayman Brac and at those meetings, one of which I think, or two of which we dealt with the question of the first jet, and at those public meetings the people there stated that this was perhaps the best that Cayman Brac had ever had it, from the point of view of the amount of money which was put into that country and what had been allocated to them by this Government. I believe that perhaps more money has been put in to Cayman Brac in the past ten years than perhaps has been put in to it for the previous eight years prior to that time. It has been given the utmost priority, and I know from the meetings that I held there, the people there appreciate this. A good example is if one goes down through the Estimates, there is some three hundred and nine thousand dollars alone this year for the Airport, the runway in there for the wind lights, the navigational equipment is on order, I think it's been on order for about a year. Once again, it is not possible at times to hurry up very specialist type of aircraft equipment or communications equipment. On the Capital side, a loan, a quarter of a million dollars has gone towards the Community Hall and that single expenditure in relation to the public, looking at it on a per capita basis, far exceeds any single amount that this administration has given to Grand Cayman, looking at it on a per capita basis. Also, in there are extensions to the schools, to the hospital, and as a whole, there is a considerable increase in the Capital Expenditure over what would have been perhaps four years ago if requests had been made, which I understand they were made.

I would also like to mention that I feel that people, and I believe this, in Cayman Brac know that this administration has attempted and does its utmost and will co-operate, and continue to co-operate with the Member from Cayman Brac and the Executive Council Member from Cayman Brac to ensure that they receive or do what they did not get over the past decade, but I should mention that I believe it would be somewhat ungrateful to blame us for what may not have been received in the past in the light of the amount which has been given over the past two years to Cayman Brac. They deserve it, and I believe they deserve everything that they have gotten, and they deserve much more. But, Mr. Speaker, there is always a question on with the jobs of supply and demand and there is only so much to go around, and if the Member is getting some six hundred thousand dollars over two years, that is for in excess of what we have put on the Airport in Grand Cayman in the two years, and I would ask him that he would

HON. TRUMAN M. HUNSON (CONTINUING): perhaps when he gets the opportunity, explain this once again to the members of the public in Cayman Brac that they can perhaps be brought up to-date on what is now in the Budget.

As the two lady Members mentioned, I fully agree that it is vital to have responsible and very able people both piloting our planes in the air and piloting them from the ground from the point of view whether this comes from reports which are given in or from controlling them and keeping approaches and this sort of matter, and I can assure Members that at least from the point of view of Cayman Airways Board, we have made abundantly clear that under no circumstances should any laxity or any irresponsibility exist in relation to the control of these aeroplanes or the job which Cayman Airways operates. And I think it is vital because there need only be one problem and it could be very serious to us.

Mr. President, I believe that we have to be .. optimistic, we have to take the necessary reasoned and cautious movements forward, and I would just like to remind Members that if a very optimistic approach had been taken, perhaps, say for example, three or four years ago in relation to the old, we could well be at this stage receiving three or four million dollars which would have helped the Budget. Mistakes, Mr. President, are always made by people and we all will make our mistakes in life, but it is very important that we make decisions, indecisions ultimately lead, as I mentioned earlier, to stagnation, and stagnation, Mr. President, is not good neither for a country or for society or for an individual.

I support the Motion on this and I would, as the Members have mentioned before, add the word of caution that we should all look closely, but that in this instance I think we have done so and we are assisted economically, and also from the support that the public has given to support this Motion and to promote the Cayman Airways and thus the economy of these Islands.

I thank you.

HON. JAMES M. BODDEN: Mr. President, it appears that I have the wrong Motion before the House, I should have been asking for about fifty million dollars to buy a 747, and if we had this, Mr. Deputy that I am usually considered a generous person, it might have been possible, which I would like to do, give every Caymanian a free trip on that plane while I stood on the Airport and waved them off. But, I made a slip and I apologize and we'll have to settle for a smaller plane.

Mr. President, I can readily accept and appreciate criticism, if it is constructive, and if personal enemies do not enter into that criticism. You can recall, Mr. President, that when we began to prepare for the group to go to Houston, initially we would only figure for a maximum of thirty-three because the plane could not bring any more back. If we had any more than that they would have to had to fly from Houston to Miami and then take Cayman Airways Ltd. from Miami to here. Fortunately, for us, at that time the State of Texas had a visit from another important person which was the German Ambassador to the United States, and we, trying to capitalize on every thing that we can, did not want you to go at that time because it would have detracted from your visit. Thus, with the consent of the generous people in Houston we were able to send two groups. One group consisted of thirty-three people, of those thirty-three people, three were members of the Press which we commit on this case consider on being a part of the official party: that leaves thirty people. Now, Mr. President, I take the blame for any thing in regards to this because it is my department and I do not believe in shirking responsibility, but I am like every other human being, I can make mistakes. I am not infallible, and it is hard to try to select thirty people out of a population of fifteen thousand people, but I believe and I have the confidence in this country and in Cayman Airways that in the future there will be many, many, many more first trips for Cayman Airways to inaugurate, and that fourteen thousand nine hundred and seventy that we have missed, will then get a chance to go.

HON. JAMES M. SOLOMON (CONTINUING): But, I think in both this House today that I have to see us get to the point of security to show we look on Caymanians as Caymanbrackers and Grand Caymanians, that is the part that stings my soul. We are all Caymanians, but since one Member has seen fit to do that - Mr. President, there were six people of those thirty or exactly one-fifth that were from Cayman Brac and it would have been two more or eight, if the Honourable Member for Communications, Works and Local Administration had decided to go along with his wife, but he like myself felt that we were needed here, and he did not go. So there were nine from Cayman Brac; one of those was Miss Monica Bergset who has the distinction of being Miss Cayman Brac. Now, when we send those young girls abroad we always send chaperones with them, and she was chaperoned by Mrs. K.P. Tibbetts. In addition, the Chamber of Commerce of the Cayman Islands which represents the Cayman Islands, saw fit to send as their delegate Mr. K.P. Tibbetts, Snr., his wife and their child, four from one family. In addition to that Mr. Layman Scott went on that group, that makes nine people from Cayman Brac.

I would like to clear one further point; I am the Member responsible for these various departments and there is no one that can say to me that I have shirked any of the responsibility that is allocated to these departments, and I will not do so now, but Mr. President, I am only one person, and I cannot be at all places at one time, but anyone that knows me, knows that if you are around me, you're going to work because I believe that we are put here to toil and to suffer under the strains of toil. And you must work, we don't want shirkers here, we don't want them any place. So I'm not saying that we do not have some shirkers at Cayman Airways, but I will tell you this that by and large I am very proud of most of the people who work at Cayman Airways, I have found them in most cases, loyal and dedicated and that is all I can ask of any human being.

We had two just two weeks ago and it went the circuit as to whether they would be fired or not. I left it to the Managers responsible because I felt that they must deal with it, but since they wouldn't, I gave a blanket order, and I said, "fire them today". I do not mind doing that if I have to, that is why the people of the Island have put me in the position where I am now, to represent them today, and I will never shirk that responsibility, I can readily tell a man "no". I try my best to humble pride in everyone that works with me and try to let them look to greener pastures but that does not mean that every one of us is going to think alike or work alike.

I personally have had a long hard, cold, world that I have faced since the age of seventeen when I left this country and I had no that time but very few soft shoulders to lean on.

The Members of this House, Mr. President, know quite well that they have been able to get any information that they wanted at any time on Cayman Airways, be it good or be it bad, and they also know that in the past this was impossible. If that was not my policy I would not have stood here today and read the figures in this Report, Mr. President, which took me nearly two weeks of work at home every night until three or four o'clock to prepare so that I could analyse and know how Cayman Airways was operating.

With a longer plane, Mr. President, we will be able to bring more passengers. With the type of plane that we are considering we would not have to make the required extension to Owen Roberts Airport which is projected to cost us in the neighbourhood of three hundred thousand dollars. And, in addition to that whether it is believed or not, a plane with three engines operating at an altitude of roughly thirty nine thousand feet instead of twenty-nine thousand feet will burn just about the same amount of fuel. Now, if we were to use that on the short hauls between here and Cayman Brac we would not be able to get up to thirty-nine thousand feet, so it would cost us more fuel.

Mr. President, is one having a problem with spares. Although we have a large supply of spares on hand there is trouble in securing any type of spares for European equipment out here in the West Indies and that is one of the problems, and we are compound that problem because we are carrying at the present time in the neighbourhood, I think, of one point six million dollars worth of spares in stock. If we put another plane on we would probably only put on two to three hundred thousand more dollars of spares. So we have compounded our problem, we have two planes at that point

HON. JAMES M. HODGE (CONTINUING): working out our present package that has only been increased twelve and a half percent to fifteen percent for the additional plane.

Now, if this Honourable House would like to vote us another million and a half dollars, I will be very glad to change my motion and place it before the House.

Another problem, and we may as well face it, Mr. President, there is no use of closing the gate after the bull is out of the pasture, and you must be willing to take some chances. If every man in life could be assured one hundred percent of every move that he makes, believe me the good Lord in heaven is going to have to enlarge that place in order to take all of those good souls in there.

So Mr. President, we cannot wait, we have to expand as rapidly as we can. Why should we sit and let our mother sinking ... and, I will come in loud enough because I am not afraid of the competition to put it to this House in the public. Suppose tomorrow Southern seeing the gap that we cannot fill, steps in and puts another plane in here, what are we going to do after they have already got the business? Go to them on bended knees and say, "please get out and give it back to us", you think we are going to get it? No. So that is why we must move. And we have been negotiating for several months with BEA towards the purchase of another BAC Jumbo in many respects, I have told you some of the negative points, but in many respects it would also be good to have the second BAC, but if you can not find one, what are you going to do. Are you going to sit back and say we will wait until you manufacture one in 1985 for us? No. What we were negotiating with them for, was the plane that we have already paid for three times, and we were going to buy it the fourth time. But now, the team we have, we carried on negotiations with them, and this morning they told us that BAOAC has decided not to sell it. So do you think that we were going to be in the position that we were not going to have a back-up? No. It would be the same thing you would blame me for if I could not provide a back-up for the present BAC 1-11 in case she was to break down in Miami. I would get criticised for it, so by the same token, any move I make I try to cover my back and have a back-up, and I have a back-up, and God's willing, if you vote us that money today, we will get that plane.

The Member has said that Cayman Brac and Little Cayman were not mentioned by the Government. Let me tell you today that at this point in time, our Government is subsidising the Red Carpet Airlines operation into Cayman Brac to the tune of nearly forty thousand dollars a year, under our present Agreement with them. Now, if we were not thinking about the service for Cayman Brac, would we be spending forty thousand dollars, to ensure that there is a plane operating into Cayman Brac? If I remember correctly, Mr. President, the present Agreement that we have with Red Carpet Airlines goes for eighteen months, would be one years because I am subject sometimes to forgetting a little bit, not much. But that Agreement, Mr. President, can be broken at any time with six months previous warning to them. So it does not mean that we have written off the Cayman Brac operation for eighteen months, but it does mean that whenever we approach the Cayman Brac situation, we will approach it in a businesslike manner like we have approached the other problems of Cayman Airways.

The Member who spoke on this subject he will agree that lands have been bought, and are being bought in Cayman Brac to expand the Airport to fifty-two hundred feet and a further expansion to planned to six thousand feet. On fifty-two hundred feet it can take certain types of jets. So it is unfair to tell the people in his constituency, and to tell you, the people of the Cayman Islands, that Cayman Brac is being forgotten. It has never been so well off in its history.

Radio equipment, generators, etc. have been on order from just after I took over this portfolio, and you Mr. President, are aware of that because you sat in a meeting with us where I even took that up with the Members from the Foreign and Commonwealth Office who were here. It is not our fault that these things are not in there now, but I cannot fly to England because I do not have wings to bring them back.

HON. JAMES M. MILLER (CONTINUING):

The Member has said that Cayman Brac and Little Cayman are unknown until this time for Revenue. How can this be said when Cayman Brac is also represented by another representative, who I have found to be a very unselfish and hard working man and I refer to the Member for Communications and Works, Capt. Charles Kirkconnell. And if there is not proof to that I challenge any one to look into the Budget which has been presented to this House, and which all Members have a copy of and compare the Expenditures projected for 1979 in that projected Revenue, and then you will all know that Cayman Brac has not been forgotten. In addition to that Cayman Brac and Little Cayman are on the Map of the world today in regards to the oil prospect finalization and the projected oil Terminal. It has its place in the future, not just the Cayman Islands but the entire Caribbean and tell me who put it there, if it was not the present Members of Executive Council.

They have something going there that is a boom, it is similar to Aruba, and then you will have the temerity to tell me that Cayman Brac has been forgotten. No one should know better than the Member from Cayman Brac what has been spent on the Cayman Brac Airport and is now being spent, and he is also quite aware of the fact that the present length and condition of the Cayman Brac Airport will not accommodate a DC9 Aircraft.

I would like to assure the Members of this House that we are doing everything within our power to see that the C.I. plane is properly serviced and maintained so you do not have to listen to alarmists and wonder whether the wheels are going to drop off when it taxis out; I do not think that is going to happen. I do not like the planes but I have faith in that one.

From 1977 to 1979 $2.8 M has been spent and is being spent on Cayman Brac Airport. I challenge you to look in the budgets for 1977 and 1978 and show me a figure that large for Owen Roberts Airport in Grand Cayman. Recurrent Administration projected for 1979 $477,465; other Expenditures $337,000 (these are approximate figures I did not add the cents and a couple of millions, and this year out of Capital Expenditure approximately 25% is being spent in Cayman Brac and Little Cayman.

I would like to touch on one more point here to show the Members of this House that Cayman Brac has not been forgotten. I was probably one of the first elected Members in this Island that had any talk with Captain Van der Linde. During those discussion back I think in 1978, I said to him at that time, if we ever do business with you there are two things that you have got to sustain this Government with is a addition to all royalties and everything else, and that is help us to put down a decent jet port in Little Cayman because you will need it and we will need it, and you have to give us a certain amount of money to support the Hospital in Cayman Here because your people will be using that Hospital. When we got down to finalising the contract I brought it up again with the result that Cayman Brac is getting as a gift, in one sense, from Cayman Energy US$200,000 towards the expansion of the Cayman Brac Hospital, and then you tell us that we have forgotten you. We did not get a penny for the George Town Hospital from him, but we are getting $200,000 for the Cayman Brac Hospital.

Finally, Mr. President, I would like very much to thank everybody for the debate. I would like to thank those who supported it and I would like to thank those who did not support it, because that is what makes a good democratic society in when we can differ. I believe in differing believe me I like this today because I had been missing this assembly; it has been a long time since I had been able to really talk, and I appreciate today.

Mr. President, let me wind up by saying on another point all of the Honourable Members of this House are quite aware of this. Under the Constitution we are charged with the responsibility for the various departments of Government which we head, but there is one control that does not rest in our hands, and that is the control of the Civil Service as many are aware of, and maybe it is a very good reason that it is left out.

HON. JAMES M. BODDEN, (CONTINUING). I do not consume lastly in any one, and I believe that if you have a job to do you must do it. I have followed the proceedings as I see it in regards to the occurrence that happened at the Airport and I do not think we should further debate it at all in this House. The steps have been taken that should be taken and I am sure it will be handled in the manner in which it should be handled. So, I thank you all very much for your support and I hope that we can all live long enough to hear me come back here one day and ask for the money for that 747. Thank you.

MR. PRESIDENT: I'll put the question on the motion.

CAPT. KEITH P. TIBBETTS: Mr. President, could I clarify a point that has been mentioned by the Honourable Member?

MR. PRESIDENT: You may speak in clarification.

CAPT. KEITH P. TIBBETTS: Mr. President, the Honourable Member for Tourism, Aviation and Trade said that there were six Cayman Brac people on the visit to Houston. I am not disagreeing with that Sir, I did not said they were not there, I said they were not invited. He named my wife and my son; I know they were there. The situation was this-my daughter, who works at Radio Cayman, was the Chairlady of Cayman Brac Beauty Contest Committee, and she wrote and asked that some Member for permission for Miss Cayman Brac to go to Houston. Miss Cayman Brac in turn asked my wife to go as her chaperone as we have known each other all through the years, and that is how my wife came to be there. My son was selected by the Chamber of Commerce, not invited as a representative of Cayman Brac, he was selected by the Chamber of Commerce and went, and to add insult to injury it was put on the Radio that I, K. P. Tibbetts MLA had represented a plaque in Houston while I was at home sick, that is where I was and they put it on the Radio that I had presented a plaque in Houston. So I just want to make that point clear that we were definitely not invited and that is how they came to be there.

QUESTION PUT. AGREED. The motion was passed. (Capt. K. P. Tibbetts against)

MR. PRESIDENT: This seems a good time to suspend for the luncheon break, resume at 2.30 and the next item on the order of the day is Debate on the Budget speech.

HOUSE SUSPENDED AT 12.45 p.m.

HOUSE RESUMED AT 2.30 p.m.

UPDATE OF FINANCIAL STATEMENT (APPROPRIATION (1978) LAW, 1978)

MR. GILLION C. SMITH: Mr. President, first of all I must congratulate the Honourable Financial Secretary for delivering such a splendid speech. Mr. President, in many respects I can appreciate many of the things that the Minister put forward in his speech especially the glorious parts about the increases in Revenues, and the expectancy for the year 1979. However, Mr. President, I will intend, Sir, to look at the other side of the coin, to look at the effects that the growth in our economy has had on mostly the man on the street. For the latter part of the year 1978, I have been very quiet as far as most of the issues coming before the House. There have been primarily two reasons for me keeping very quiet.

The first being I did not consider most of the issues very controversial, and the second I did not have my full heart into my role as a politician. The reason for not having my full personality into it, I felt that there has been quite a bit of uneasiness in our society and for no reason at all as far as I was concerned. However, at the time, I was taking the attitude as expressed by Mr. Johnson in his speech that everything in the society was in good shape, the merchants were laughing, people who wanted work could get work and there is a lot of money around.

MR. GEORGE S. SMITH: (CONTINUING).

Mr. President, in the last two months I found myself in the position where I had to search my soul to the point where I had to decide whether I would continue in the political field or give up and hopefully serve this society by starting a turkey farm. Mr. President, the reason for my attitude was that I felt that the public in general could not be pleased however before honestly accepting this to be a fact I decided to search and find where the problem was, was it with the politicians or was it with the public in general? With that, Mr. President, I started out to find a few answers and I will say that the more I searched the more reasons I am finding for the public to be resistant, to be dissatisfied, to complain and this is looking at it, is to true that the economy is in very good shape that there are so many other issues that the public will have to complain about, and it is with this in mind Sir, that I will direct the remainder of my speech today.

I hope to divide my speech into three major sections, Sir. One is our Civil Service, two is the public's complaints in general, and three the Draft Estimates for 1973.

In discussing the subject of Civil Servants in general, I will make a very positive and bold statement and that is, that I have found that we have in our Civil Service in the category of Principal Secretaries and persons of that authority and status appears to me as going somewhat to discourage many of the young people who are going overseas and training and coming back to join the Service, and to fulfill their role in our community today.

Mr. President, in my search to find why the people in our community were restless and why they were upset, I tried many approaches and for some reason or all I just could not seem to find the rules of what was happening. However, sometime back a young man came to me quite distressed, very upset, and he said "Mr. Smith, I like to have a word with you." I said "As long as it's not going to cost me money I'm happy to talk with you!" So we sat for awhile and he explained his case to me, and his opening remark was, the only thing I feel like doing is to go and commit myself by hanging somebody up in the glass house to quote the words he used. My first reaction was that the young man was very rude, very much out of order, and I said to him "I would have it a second thought before doing something like that." However, he said, " After talking with you, I feel a lot better and I am convinced that somebody is listening and will attempt to do something to remedy the situation."

As I said, Mr. President, my first reaction was really that the young man was very rude but after leaving the young man, going home, thinking about what he said, I remembered an incident when, I think it was in 1967, I was employed at Public Works Department and Mr. President, I went into Town, when I came back somebody suggested to me to have a look in what was supposedly my office. When I went in there I found that the desk that I had been using had been removed, the fan that I was using had been removed and in place of that I found a number of concrete blocks and for a desk we had a nice beautiful wooden door sitting there. So I said, Well, what happened? And I was told that they have taken the desk and fan out of the office, and had given it to an executive who had just joined the staff. Very well, Sir, Mr. President, I realized then that my intention at that particular moment and I am being frank with you, was nothing short than resolving the then Director of Public Works to the point where he would not be able to work again in life, and I am being honest about it. It was at that point that I realized that this young man may have been very, very sincere in what he was saying. And after deliberating on it some more I realized Sir, that this was the one thing that I had put behind me. I had taken the attitude that because I was the little fellow from up in Nonkasia nobody cared, I was kicked around, as it happened to George Smith. But in listening to this young man I realized that there is a lot more of these cases happening, there is a lot more in little fellows working hard and willing to make up the backbone of our society and they are given this type of treatment.

MR. GEORGE C. SMITH: (CONTINUING).

Mr. President, it appears as if the prejudices still remain our society, it still remains in the Government circles the idea of keeping it in the family to still there, and it is affecting the young people of our society today. You may not appreciate Sir, what I say, to keep it in the family but on the road as the other member from George Town refers to it, on the next road it has a very, very significant meaning.

In order to continue, I would like to bring an example to this House of what is happening and I am going to pick Public Works for the point of view that I worked in that Department, the service provided by that Department is what I have been trained for, it is a thing that I understand best.

I worked for Government and I think it was in 1970, I was the first Mechanic Supervisor in that Department. I came to Government, I had worked my way through High School, on Saturdays and Sundays I worked as a mechanic helper, I did anything that I could find to earn enough dollars that I could pay my way through High School. I went to college; I had a degree in engineering, I was a licensed operating engineer (diesel and steam); I had worked on ships for quite a period of time, during my summer vacation to gain experience, and the first offer made to me by Government was a fee of C$600 per week. A fee, Mr. President, I considered very insulting. However I said to I would not take it, and a month or two afterward somebody contacted me, to say "well, we can upgrade it to a sum of $350 per month," which I did not consider was the best but I had been away from home for five years and I was glad to be able to have a job here that I could stay home with my family.

After working within the Public Works Department for ten months, the incident came up which I mentioned earlier. I started examining my future in that Department, however in the course of examining this I went and asked for a raise, and I was told by the then Principal Secretary who is now Principal Communication and Works and at the time was Principal Secretary responsible for Personnel. I was told outright that I would not get a raise because I was not qualified to do what I was hired to do. This I found very amusing but I said, I'll tell you what I can appreciate what you are saying and here is my resignation. To this date, Sir, those two incidents I relish very much because they were the two things that gave me the initiative, incentive and courage to go on, and I must say that the money that I have earned in the last six years, after leaving Public Works, has been better than what the two persons that put me in that direction have been earning.

Mr. President, the individual that replaced me after leaving Public Works, is now working in Cayman Brac, I understand is Director of Public Works up there I am not sure what the title is, but just to follow the sequence Sir, the young man did not have a High School education, he had no formal training in mechanics, but yet within three months after leaving that Department, the young man that replaced me was paid $000 per month, he was given a Government House to live in and all of the other trimmings that went along with it.

Fortunate for me, Sir, at the time I went back to sea as an engineer my earnings had still exceeded that amount which I was quite happy with. As time went on that young man was transferred to Cayman Brac, once leaving the post vacant the present manager of the Funding Scheme was chosen to take over the reins. This young man had just risen out of school, no experience but he was hired. I have all the confidence in the world Sir, that other people and I will name them, I will say Mr. Craddock's son here, Mr. Byron Panton was more capable academically, he had more experience, he had been trained in Auto Mechanics, in Diesel, the person replacing him had to be sent back to school for six months training period, but yet this young man was given employment of Mr. Craddock's son and I am sure that there were some other ones applied who were more qualified.

Just two weeks ago, Sir, we had a very unpleasant incident in this same Department. We had a young man from George Town, a young Miller finished High School, went overseas, trained as a Auto Mechanic gasoline and diesel, came back applied for a job in this Department fair enough he was hired, and he was offered $2 per hour.

MR. GEORGE C. SMITH: (CONTINUING). And, Mr. President, when we look in the salary in our estimates that compares that young man with our street cleaners and when the boy get careless on the job, if he did, he will be told that he is not qualified to do his job. I think that somebody should be brought to task for these discrepancies. There is no way that a young man can finish High School, go overseas and take courses, instructors certify that this young man is capable of doing mechanic work then he comes back and is offered $2.00 an hour. I think it is a disgrace, Mr. President, the person responsible for setting these salaries is either inefficient or just had something against the boy, it had to be a personality situation or a clear-cut case of inefficiency.

Mr. President, I just brought that one incident because as I said, it is the one area that I know best, it is the one Department that I worked in, however on I go on I will point out a number of incidents that happened in the Department of Government that have continued to annoy the general public and they are continuingly annoying the younger, more educated of the general public, the ones that have the ability to plan. Mr. President, I feel that the ability to plan with the academic background is the most dangerous element in any society. And believe me, Sir, I feel that if these situations continue that these young people will soon get together and believe me they have the ability to effectively destroy our society.

It appears to me that the persons responsible for making these things occur fall in three categories. It seems that they are still fighting in 1971 Colonialism, it is those that have personal ambitions for their family and friends; it is those that are just waiting until the day will come when they retire, they do not care what happens; it is those that are what the Member from Bodden Town commonly refers to as those that are square pegs in round holes. And Mr. President, these are the persons, the square pegs in the round holes are the ones that we must look at very carefully and put them in the category as those that are waiting to be retired and within the group together.

I have a list of things Sir. I will take you to the Judiciary section of our Government, where recently two persons were prosecuted for the same offence, drunk while driving. One was convicted, fined, license suspended for one year; the other one was acquitted the same day, same court, but one was fined and one was acquitted. It does not matter to me Sir, what the reasons for this are but the public has taken the attitude that the politicians made the laws, the politicians are responsible for these things and the public does not care what the legal aspect of them were, all they see is that two persons brought before the court for the same charges, one is acquitted and one suspended.

Another incident that was brought to my attention again. We had a young man being prosecuted for doing 83 M.P.H. zone. However, Mr. President, it is pointed out that the 35 M.P.H. referred to by the police was one of the areas where the speed limits in the area had recently been increased to 30 M.P.H. And if I recall correctly Sir, our police books give us a 90% accuracy on our speed sense and devices. And as far as the public is concerned again, that man was not guilty of committing an offence, but it appears as if ignorance on his part forced him to plead guilty.

The next Department I would like to mention just briefly. I picked out very few incidents from each Department, but there are things Sir, to point out why the public is still upset. We have the George Town Hospital. I will say, I think the outpatients section needs a lot of attention. I was admitted to the Hospital some time ago and the treatment I got in the ward Sir, I shouldn't attempt to name, but I have had so many complaints about the outpatients at the Hospital that I decided to go by there myself and see what was happening. And the confusion created in that Department is unbelievable. A person goes there, he's given a ticket, any given ticket number one, he goes there at 7.30 in the morning at 11 o'clock he's still there waiting; nobody took the time to tell this one individual that the doctor he wanted to see would not start working until midday. This is just an example of the things that the public in general is upset about.

MR. GEORGE A. SMITH: (CONTINUING).

It was brought to my attention that about a month ago I think it is, the post of Auxiliary Nurse in the dental section, up at the Hospital compound, the young lady presently employed in that post decided to go overseas for further training; she gave Government ninety days' notice, ninety days' notice, yet nobody in Government found fit to advertise the position until after the young lady had left the island. And the day that it went on the Radio they hired an untrained, as I am told, person to put in that post. Mr. President, if they do what is happening, any school leaver could have taken up that post...and I will comment on it a little later, but if my understanding of the Estimates for 1979 entails an increase this post was given, I and I will say it now given to an expatriate Sir) that the difference in salary since this young woman was hired that post now pay something like $2000 per year more. And it is about Sir, that a Caymanian should have been given, and if the post now demands such an increase in salary I see no reason why the young lady that had it before was not given this increase.

I will go, Sir, to the Mosquito Research and Control area. We have mile and miles of bike roads in the Cayman Islands. These bike roads were built on property of private citizens and to my knowledge no financial compensation given to these persons. A number of them have felt the desire to build houses in these areas I was told, and I went and observed for myself. Mosquito research has deliberately dumped loads of marl on either end of many of these roads so as to stop the public from having full access to their property.

We have a person now, Sir, that applied ... to Planning for permission to build a house with the access off one of the bike roads, he was turned down. The reason I understood the Research does not have the money to repair these roads. Mr. President, I think this is one of the most useless arguments one could use. I look at it from the point of view that if Real Estate is allowed to be developed in these areas, it brings revenue into our Government. The young man, if he starts building a house, every bit of material purchased for that house earns Government 20% revenue. If one house is built in any area chances are a second house will follow. With the transfer of property from one property owner to the next Government enjoys 7½ stamp duty. Mr. President, there is no reason why these people should be treated this way. As I said before and I say again there are the reasons that the public be upset.

I will go back to the Personnel Department, I happened to be up at the Administration Building some time ago and there were two young ladies out in the corridor and one was attempting to fill out an application form, so she said to her friend, " I don't understand what this is all about can you help me?" and this is really what interested my attention. So I just stood off and I looked at how I thought her and her friend she filled out the application form. The next day I went back up there, she was sitting back in one of the Offices, hands folded, so I said to one of the persons in the office " is she working here" she said "yes, she's started this morning", fair enough. But, Sir, when we have two or three sheets of persons in the Immigration Department, they have been waiting now for three months to find somebody to fill these posts, what is going on? The public is upset, the people that have applied for these posts are sitting back unemployed for three to four months now, somebody has to be responsible for these things!

I know it has always been the good old story, let us blame the Public Service Commission. They can't meet, when they meet they make the decision on who should be employed in post X,Y or Z very good, it's always a good cut, blame the Public Service Commission.

Mr. President, I wonder, Sir, how many applications for posts in the Cayman Islands Government that really get to the Public Service Commission, and of those that do get to the Public Service Commission how much of the facts has been briefed to suit the one person that those presenting the papers to the Public Service Commission feels like trimming off.

MR. GEORGE C. ONEIL: (CONTINUING).

I will give you an example of some thing that happened and connected with Cayman Airways recently, but is a very good example Sir, of what is happening in Government in their presentation to the Public Service Commission. We have a young man twenty years old about eight months old, he went overseas, he did secondaries in Intermediate Science, he got his pilot's license, he paid his money to get X number of hours flying planes, he came back applied to Cayman Airways for a job. When the application forms were examined the boy was completely ignored. Their hired two persons one of whom is a US citizen, the other one a local Caymanian I should say of a very good financial status, but the third person Sir, who I felt was more qualified academically, the young man, is not one thing that anybody can point and say you are a dishonest young man. I know the young man personally he does not smoke, he will take a beer once in a while, but for all practical purposes, Sir, a model young Caymanian.

When I heard of the incident I went and I asked him what happened, he said he does not know, to date nobody has said anything to him. I took the matter up with the Member responsible for Aviation and Trade, and the reason given to me Sir, was that the young man would not be twenty-one for two months after he had completed his training. I said to the Member this is ridiculous because that same young man, Sir, had been working for Cayman Airways prior to going overseas to school for three and half years. He started out, and I'll use the word pumping the toilets on the planes, and I find Sir, that the services that he gave to Cayman Airways for the three and a half years should have been more than the excuse given that he wouldn't be twenty-one for two months. I think this is the kind of stuff, Sir, that I am sure had this information been given to the members making the decision, the young man would have been hired. And this is the thing Sir, the public is considering about.

When I was building my house, I had a shack in which I stored the building materials cement, nails etc; and I gave it to my brother because he gave me a hand around the house. I need you know this thing it has only been a/c, it has good wiring, all of the electrical connections on it, it a matter of just for him to move it I had to go to the Caribbean Utilities Company and have them disconnect the wires. He took it to where he was building his house, and just a couple of week ago he decided until he wanted the power connected to it. So fair enough he applied, the Inspector looked at it, he said no, since that building or extension was wired the regulations have been changed. You will now be required to put in earth fault protection, you will be required to put in a number of other things, which, roughly would cost the young man $100 more. So he came to me and said, " look, you know I helped you work and you gave me this with the understanding that you were compensating me for my work by giving this thing, but I will have to put another $100 into it."

I have a book at home, I took the regulations out, I examined them thoroughly, and more enough the regulations did state that these things were required. I said "well, there is nothing we can do about that", he said, " wait a minute, what about the Holiday Inn, did not they hook up there recently without having the place inspected?" I said "yes". He said "although we are brothers, how can this thing go on" and he is absolutely right, Mr. President. He was put in a situation where he would be required to spend $100 more and I quote "unnecessarily" and I used the word unnecessarily Sir, because to compensate for this he went to his neighbor's house, plugged it in and paid the neighbor $10 a week.

Now my attitude here, Sir, if the regulations were strong enough to require this young man to completely rewire a system where he just wanted enough power to run a power saw, why is it that the same regulations were not enforced in the Holiday Inn? The connection was made by Caribbean Utilities Company, it was never inspected, it was then in, being used, in one two months after the job had been done before anybody from the Inspector's Department came and had a look. To date this is five months afterwards the place - according to our regulations which states that any new place connecting to Caribbean Utilities Company must be thoroughly inspected before any connections are made.

MR. GEORGE O. SMITH: (CONTINUING). We have made an exception there, fair enough. But, Mr. President, he, in his rage has threatened these things with his friends, and it has given the young people in this Island one more reason to be upset. And they are being upset with the politicians.

Another area of our community, Sir, that the young people have been upset about is the attitudes of the Bank and Trust Companies towards giving Mortgages to the young people. I think it is their prerogative to decide who to give a Mortgage to, when to give it, and where to give it. But again Sir, I had a young man come to me. He said " I have applied to one of the Banks for a Mortgage, and they wrote me back saying that they could not see any justifiable reason giving it to me." So I said " I am a bit curious let's get on the phone and call them back and ask them why they turned the Mortgage down". I will add Sir, he and his wife have been married about five years, they both have been working consistently for that period of time; they have one child, they have their house up to the paiting, on their own, full ownership of the title to the property. So I said call the bank let us find out why. I sat there; he called the bank, the guy said " well, it is not our policy to tell our clients why the Mortgages are refused". He said " tell you what I am going to do, and that is tell my representatives that they should investigate false advertisement on the radio," because this is the impression that a lot of the Banks are giving the public, " come in all you need is to come in and see us." The person on the other end of the phone said " no, do not do that, come in tomorrow and see us and we can talk." Mr. President, I feel, Sir, that if the person on the other end of the phone could make such a statement at that particular time, there was room for them to call the young man in prior to that and sit down and discuss the matter. My solution, Sir, to this particular problem is, that we convert our present Government Savings Bank into a Commercial Bank. By so doing, Sir, we can then take on the responsibilities of these low-cost houses, we can adjust the loan ranges in that area to accommodate a lot more of the young people in this Island. Their total earning power earning them above that what is required for low-cost housing. In addition to that, the payroll of Government, which is very substantial, could be handled through that Bank, the newly enacted Agricultural Bill which was brought before the house yesterday, could easily be handled through that- irrespective of what Caribbean Development Bank says. If they refuse to loan Government the money, I feel that once the Bank is turned into a Commercial Bank, Government will have the flexibility to provide these services irrespective of Caribbean Development Bank.

The other area of grief, it is very limited but I think Sir, to have one dissatisfied person in our society, and dissatisfied for a good reason is enough for us as politicians to examine his dissatisfaction. We had a young man up on Eastern Avenue who was refused a liquor license as a result of having a Church being constructed within quarter mile of his premises. I know this is in the law, but Sir, that young man applied to the Liquor Board many, many years, I think he told me about four or five years ago, for a license to sell alcoholic beverages. It is a small restaurant and dwelling-house together.

However, during this period of time we have a building - I don't think it is right for me to use the word church it is a building or a structure which is being constructed within a quarter mile of his house, and he has been refused a license because this structure has come into that area since he applied to the Liquor Licensing Board. And in my opinion Sir, the structure is not a church, the Law says "church" not a structure. And I think that young man, if his license was refused on this one particular issue was unjustly denied the rights to have a Liquor License.

I see, Sir, another potential problem in our society with the same issue. It was in the paper quite recently that the present Anchorage Center will be buildozed down, and a five story building will be constructed there. One floor of that building will be a hotel and there is no doubt in my mind, Sir, that with that hotel will be a request for a Liquor License, which I am sure Sir, that those points, when supplied to Planning should include the fact that a bar will be in that building.

MR. JACKIE C. SMITH: (CONTINUING). And according to our Development Plan, there is no way that planning can pass that building, because that building will be within a quarter mile of a church. And I will say, Sir, that it is time, and I will ask the Clerk that before the sitting of this House, (which according to law the Members of the Liquor Licensing Board must be approved by the Members of this Assembly), that this particular motion will be brought far enough in advance that we can discuss the possibilities of denying the Members and not have it thrown in us as was last year, the last item on the agenda.

Mr. President, I have attempted Sir, to give a number of issues of incidents why the public is still dissatisfied. I will admit initially I had the attitude professed by the Honourable Financial Secretary that everything was hunky-dory, everybody was happy, but, Sir, there is still another side to the picture. The financial atmosphere in our society is beautiful, it is the best it has been for many years, but, Sir, I will emphasise the point that unless the little things, and I will say the little things that happen in our society are looked at more closely now that we have the financial picture taken in hand, that we have not really accomplished that much.

Another item, Sir, that I would like to touch on briefly, and I touch on this from a point of view that the young people in our society deserve encouragement, and that is in the area of Sports. Again, in the last two months I have had the opportunity to discuss, discuss, plan with a lot of the young people about the sports potential and activities in the Cayman Islands. And, Sir, I would like to ask the Members in this House if they would, in their rush forward, to look one side and look at how we can help the young people in our society develop the potential in the area of the arena of sports.

I cannot honestly remember just what area in our budget, but there was a certain amount of money tucked in there so that you in your capacity would direct money into transportation methods, ways of bringing drugs into this Island or I should say for drug control in general. And I would like to ask the Members, Sir, that if we could give that a second look, and instead of attempting to fight the drug problem in our society by trying to catch those persons importing and dispensing that we divert a little bit of that money into creative activity for the youth, so that their minds will be directed in creativity instead of the destruction brought about by the use of drugs.

Now, Mr. President, I come to the Draft Estimates for 1979. I have done a very, very close examination of this paper, Sir. I have been quite upset from the point of view again that we as politicians have been accused by the Civil Servants of giving out increases of salary to the chosen few and the ones at the bottom not receiving anything. This, Sir, is in reference to the reporting of salaries. And I would like to let the public know, Sir, that to date we, as politicians, have never been told how much was paid out, how much was paid to anybody, the only time I heard about it was when I heard about it on the street. But, Sir, I have carefully compared the Estimates of 1978 with that of 1979, and it is amazing to see how again the chosen few were rewarded. And I use the words, Sir, "chosen few" because in that "chosen few" the family again is included.

We see in the areas M1-M6 anywhere from a 2.5 to about 3.4 per cent increase in salaries. We see from M7-M9 approximately an average of 8.5 percent increase in salaries. However, Mr. President, in that section M7 we see [illegible] Chief Accountant, the man charged in the Civil Service with the dollars and cents of our Government, whose salary has gone from $18,884 up to $19,848. I am not questioning, Sir, whether that man or that individual is justified in receiving this increase, but, Sir, when I hear that this same individual who is responsible in a sense for the accounts of Government, gets up and suggests to the rest of the Civil Servants, (who received nothing out of this spending) that they should come back to Government and ask for a 25% increase in salaries, it makes me miserable, because that young man in his capacity as Chief Accountant in the Civil Service for the Cayman Islands Government, should tell these people that for them to get 25% increase in salary, they're asking this Government to find an additional $4 million dollars a year. And there is no way that the financial structure of Government today can accommodate it.

MR. GEORGE C. SMITH: (CONTINUING). It is my opinion, Sir, that the only reason that he is doing it, is to hide the fact that he got such a substantial increase in salary.

If my figures serve me correctly the Chief Accountant as a result of regrading received a 13% increase in salary, 20% added to that will bring that individual just short of an additional $4,000 per month increase in salary.

My initial intention, Sir, was to go through these estimates publicly, and the public will know who is part of the family, from who is not. But I think, Sir, on second thought I will just let it rest for awhile. But when we see persons having increases of 38%, as a matter of fact one article says 42% as a result of regrading, and to add 5% on top of that Sir, is ridiculous.

I think my voice is beginning to fail me, so I'll attempt to cut it a little shorter than planned. But, Mr. President, there are two items Sir, that I wish (irrespective of not going through as I planned). I would like to point out to the Members and the general public, and that is the fact that last year we asked our Honourable Financial Secretary to reduce by all means gratuities paid to Civil Servants. But, Mr. President, it appears to me that he got his wires crossed on that area, because instead of reducing the gratuities they have increased them. The year 1978 we will have paid $295,400 in gratuities. In the year 1979, we have projected $ 277,200 for gratuities.

Mr. President, there may have been a time in our society when we had to pay gratuities to encourage persons from overseas to come to the Cayman Islands to work but the time of gratuities and encouragement has passed. The Honourable Member for Health, Education and Social Services has told me that in the Education Department they had an opening for eighteen teachers and yet they had two hundred applications, with a response like this, Sir, I am not convinced that we need to give out these gratuities to encourage anybody to work for Cayman Islands Government.

One other item I see in here is $140,000 under Capital Investments under the name Mosquito Research and Control Unit for a fly-mix machine. Mr. President, this in my opinion is plain robbery of public funds, and I will explain that in a minute. Sir, Government sold a fly-mix camel, operated and used by the Mosquito Research recently, the unit had 600 working hours on it; it was sold by public auction for something in the neighborhood of $2,000 I am told. In addition to that we have two fly-mix units sitting up in the Public Works compound, have not worked on hour this year, and there is no reason that anybody can justify spending $140,000 to buy another machine. I think that money would be much better spent purchasing the land adjacent to the Primary School for future expansion, and believe me Mr. I will ask the Members of this House to agree with me, and prevent this money being spent in such a useless manner.

The last point I wish to mention, Sir, is a public statement made by a Government Officer. I will not quote the exact words, however the essence of the statement is - I think was the Hotel Association was the fact that the Hotel Association or Hotel owners, proprietors had the right to evict any individual, I said I think when we use the word individual I think it was cast on the face of any local person from their premises, should they feel that that individual was an undesirable character. And, Mr. President, I refer to that as a Government statement, the public looks at it as a Government Statement. But what I would like to ask, Sir, is when will Government make a statement as to what will happen as in the case where we had a lawyer, one of the owners at Holiday Inn running paying guests out of the swimming pool at Holiday Inn, because they were black. I thank you, Sir.

CAPT. KEITH P. TIBBETTS:

Mr. President. I would like first of all to congratulate our Financial Secretary on the wonderful report he has made to us. I feel that he must have really put his heart and soul in all this work to compile such a comprehensive report for the year 1970. I will go on and make a few remarks on a few points and I would like my remarks to be constructive.

Tourism: I agree that Tourism has expanded a lot in the Cayman Islands although we have enjoyed a small amount of increase in Cayman here. I realize that our potential there is limited as we have a small number of hotel rooms to offer but it does help the economy and we appreciate whatever we can get from it. The biggest issue in my mind, and I believe, in the minds of all the people of the Cayman Islands is this Oil Transfer operation. I believe it is the most viable proposition and I can speak safely, surely say that it has done a lot of good for Cayman here.

It was shown at we today that the Government is doing this and doing that and the other for Cayman Brac and in Grand and in fact we are getting our fair share from the Government, but we are getting a real fine share from the Oil Transfer operation. It is not all of the men that they employ (I believe they have about forty on the continuous pay roll), but then it is the spin off from the other operations, it makes those men stay at home and their families will spend that money more freely when they know that their people are at home and they need more. For instance, one of them happens to be one of my best customers and sometime I use him he has the time always to tell me, he said this is one time I feel satisfied and happy to pay for food because I am getting the good of it; he said all the time before whatever it cost my family to know I was not into it, I am not getting any good from it, I was away at sea. I believe as a former seaman that is a good feeling to know whatever you are spending you are getting your share of it.

There is one anomaly in the Oil Transfer operation, I do not know if this is the right place to mention it, but I will because I believe it can help. There is now an issue like what the Member from George Town said while are a lot of family operation in the Oil Transfer facility. There are quite competent men that are trying to get jobs in there and are not getting them because they are not in the family clique. I say it without any reservations. I would like here to suggest, I do not know how our Government can do it because I do not know what the contract says, but I know that on occasions those fantastic ships there are being handled by unlicensed personnel. I would like to suggest to this Government that some steps be taken to ascertain that anyone that is sent there to train or to operate as a pilot or a docking master whatever the title may be that that person is a certified Master Mariner. I would be ashamed if anything happened and an investigation was made, (which would normally be made, and it almost happened in December last), that the person responsible in taking care of that ship was not a certified Master. I believe the Insurance Company will take a very, very dim view of it and it may close that whole transaction down within hours if it is not looked into. I would strongly support and suggest that this aspect be taken care of, as early as possible.

Mr. Johnson told us of the increase in revenue and one point in that revenue really strikes me forcefully and that is the increase in court fines. I am ashamed every time that I have to say that there is such a vast amount of drugs being handled in the Cayman Islands, it is no good of me disowning it. I am ashamed of it, nevertheless I know I have helped make the laws to make it mandatory for these sentences, but I feel that we can still make them stronger and instead of going to the expense to imprison a person, fine, fine them and fine them and fine them again, make it as heavy as humanly possible. I know of instances where people have gotten involved in these drugs that I do not know the people themselves, but I have been told about it by other people that have been dealing with it, and in a matter of a couple of years they are worth anything from a half a million to four or five million dollars, just through handling drugs. A fine on these people cannot be too heavy regardless of what it may be. If it was possible to sequestrate what their had and took everything away, just leave them with enough to start off to eat with again, may be wear a couple suit of clothes, it would not be unreasonable.

CAPT. KEITH F. TIBBETTS: (CONTINUING).

The next subject I would like to speak on is Broadcasting. I believe I pay as much attention to Radio Cayman as any other person in the Cayman Islands because I have a radio in my office, I go to work at 8 o'clock in the morning, I turn it off when I am coming out at 5 o'clock at night I turn it off, so that is on there for fourteen hours every day whether the Broadcast is on or not the Radio is on. But it is a thing that strikes me and I know had dozen of complaints about it, and it is a person it strikes me more forcefully and that is the weather forecast and the weather conditions. Before we had the Tel Transfer operation I do not suppose it made too much difference because we had very few ships coming around this area that were really connected with the Cayman Islands, but now there is almost always anything from one to five or six ships around Cayman these days. I do not know that their listen to the Radio; I am not sure that they do, they probably get the weather reports from some of the Meteorological Offices like New Orleans and Miami or some such place, but it is very misleading when you hear them tell you that it will be high tide in the next hour or so and the next high tide will be twenty-four hours' time, and the next low tide may be another twenty-four, twenty-eight hours' time; this is not correct, we have proven in this case Honourable Mover and that can tell you we have two high tides and two low tides per day.

Only I am not sure whether it was Monday or Tuesday I heard them come out two high tides the same day and no low tide mentioned. That is virtually an impossibility, if you are going to have two hightides you must have a low tide in between. There are ways and means in helping that out for us I am concerned and I believe that all the weather forecasting is done through communications, getting reports from other Stations to compile them and put them together to give you a picture of what the weather is going to be like in the immediate area. I believe and I feel sure that some arrangements can be made that at least they can get a similar report from Cayman Brac which would be a big help to the office here to know what they can forecast for the weather in Grand Cayman.

We have some ten cent equipment at the Airport in Cayman Brac and there is always somebody there to use it and it hasn't. They can call from the Airport in Cayman Brac to the Office here and tell them what we have over there periodically. There is one seaman at home that he calls me about once a week on it, and then he cannot understand why every time the Broadcast is made the barometer is rising. I have tried to explain to him that normally the time of day that the barometer is read (which is normal seven in the morning and six in the afternoon), if the barometer is not rising at that time it is one or two things, it is either bad weather approaching or the barometer is wrong, because that is normally the time of day a barometer will rise. The lowest point of a barometer reading in this hemisphere is around 4 o'clock in the morning, and 4 o'clock in the afternoon, so therefore it is always rising at seven in the morning and six in the afternoon.

The reports from the Legal Department were real fine, we seemed to have passed quite a few very important Laws during the year of 1976. but, Mr. President, there are two Laws on our Statue Books that worry me. I feel that this House is a House of responsible people and they should be pong into and corrected for the benefit of these Islands.

The first one is our Workmen's Compensation Law. If you go back and study that, Mr. what is most unreasonable. Our Workmen's Compensation Law should be amended to bring it up to the point in time in which we are living, this was made back in the sixties, I helped make it, I am not ashamed of it but it is unreasonable in the law nevertheless and it should be corrected.

The second one is our Election Law. Mr. President, I know you have told me before it would require changes in our Constitution to have our Election Law changed. But I do not see any obstacles that would keep me from getting small amendments to our Constitution to correct our Election Law. I hate to be a pessimist, but I believe that in a few years if our Election Law is not amended we are going to have people sitting in this Legislative Assembly with Caymanian Passports with outside views, and that is why it worries me because we need to keep Cayman as near to Cayman as possible.

CAPT. KEITH P. TIBBETTS: (CONTINUING):

I remember one of the first tourists that settled in Cayman Brac, and I am sure nearly everybody knows him, Mr. Charles Driggs, and the first occasion he and I sat down to talk, I asked him how he was enjoying the Island and how he found things, he said "just perfect". He said "Keith you know if you go to another man's country and are prepared to accept what he has to offer you and make yourself happy with it, you are happy, but if you want to get miserable you try to go to another man's country and make that country to suit you". And that is very true, Sir, and that is why I said that we must have our Election Law amended so that it must be Caymanians in this Honourable House.

Health Services: The Hospital in Cayman Brac was mentioned here this morning in an unpleasant way I would say, it was implied that the money that is going to be spent on the Hospital is coming from the Cayman Islands Government.

Mr. President, just after Capt. Van der Linde started negotiating with the Government for this Hospital he mentioned that they had plans to put a Hospital on Little Cayman where they were going to operate. Myself and some of the other members of the Hospital Committee in Cayman Brac met with him and we suggested and we offered if he would find the money we would improve our Hospital to make it available to them whenever the necessity arose. After the discussion was over he told us that Grant Lynch had estimated three million dollars for a Hospital in Little Cayman the type they wanted. Well, the Hospital in Cayman Brac is not a Government project it is built and owned by the people, the land was donated by a number of them across where it sits on. I have been one of the founding Trustees from its very start, from the very first of the plans. In fact at that time I was a Member of the Legislative Assembly and I brought the first plans down to Victor Phillips, I think his name was, for his approval in the very first start of a hospital in Cayman Brac, I have been on the Committee ever since. And we must uphold our obligation to the people, we must protect it, we must be guided by their wishes.

I quite understand that the money that Caymanians have paid in had to go in through the Government, I am not disagreeing with that but we want the Hospital to be manned to suit Cayman Energy and to suit the people of Cayman Brac and Little Cayman, and that we are going to stick to, we are going to fight for it and I believe that we will all be proud of our Hospital after it is completed if the plans we have now are agreed upon and put into effect.

I am going to bring up a point that I have raised in this House before and I hope and I trust that I got it clarified last Friday, but I feel I should mention it here, in the Hospital regulations made in January 1972 I think, it says that the people of Cayman Brac and Little Cayman will only pay half of the rates paid in Grand Cayman. We have been treating non-Caymanians and what we have been doing, if I understand right, is charging them the half of the half that we pay extra- in other words let us say that in Grand Cayman they pay $20 a day, we are charged $10 a day and we charge the outsiders $10 plus 50% which makes it $15. I cannot agree that this is right, Sir. In Grand Cayman here if the rate is $20 an outsider has to pay 50% on it, that makes it $30 and the same thing should apply in Cayman Brac. I believe that I got it clarified with Mr. Pineau on Friday last, but I want to bring it up because I really want to see that put into effect, then we will see something come back from what the Government is spending to run our Hospital for us.

Another point that I do not think anyone should feel hard about, when you go to the Hospital to have an X-ray is paying for what that means. I believe in Cayman Brac they charge $5 for an X-ray, and I have been told that the normal film costs between $10 and $15. I do not feel that the people of Cayman Brac and Little Cayman should be subsidized to that amount. They are subsidized in medical facilities because we built the Hospital, but when it comes that outside treatments such as X-ray and drugs they should be paid on a realistic figure and not something just to show a figure is paid. And I do not feel that anyone in Cayman Brac would disagree with that.

CAPT. KEITH P. TIBBETTS: (CONTINUING)

The next point, Social Services. In our Estimates we have X dollars for poor relief. This I feel must be increased. The average poor person in my area gets around $18 or $20 per month, that is not a practical figure because if that person is destitute at all that cannot think about feeding him. And there are cases where that can help a person that can earn a certain amount via $10 or $20 can help them but when a person has to be on poor relief it must be a figure I would say a minimum of a $1 per day. It is not a big increase but it can certainly help.

On this point I would like to go on and make another constructive suggestion. Some years ago when a person went on poor relief their property, their land automatically became the property of the Government, they could not sell it. I know of cases where people have been on poor relief and have been selling land, I think it should be stopped. If a person has to get poor relief I do not see why the Government cannot take over their property. It is not being unreasonable because if their families cannot help support them, cannot take care of them, all they are working on is to get the land, I feel that the Government should be the one to get that land and support the old people.

I also see where there are figures in the Estimates for school uniforms, stationeries, books, school lunches etc. To my knowledge there has never ever been a penny of this spent in Cayman Brac. If it is so I do not know about and I have not heard anything about it. I feel now that we have a Social Welfare Worker, that we should get our part of it over there because there are a few children, not many, but there are a few that definitely need help and if they giving it to some of the destitute ones they must give it to all of them. And I feel that our Social Worker should be notified of this and let him find out and decide who should be helped. So I want to bring that up and I am going to talk to Mrs. Fraser our Social Worker the first opportunity about it.

Now there is one more point in Mr. Johnson's beautiful address and that is MCES. I am not prepared to back that, I do not think and I feel competent it is not doing the job it was designed to do. I understand that it has been going on for four years and I do not know of any visit to Cayman Brac of any one from MCES or they have ever done anything. I agree that we should have our pre-school for children but if it is going to involve the MCES, getting involved in our Islands, I do not know how we are going to work it, so I am opposed to that although I support the idea of pre-schools, and I do not believe, in fact I am sure that there is no trouble to get pre-schools in Cayman Brac if the Government gives them a little bit of support. I know of one lady, who has written letters repeatedly to this Government asking for help to carry on a little pre-school; she has done a lot of it and she has done a very good job in what she was doing on her own.

MR. PRESIDENT: I shall have to interrupt the Honourable Member in about three or four minutes.

CAPT. KEITH P. TIBBETTS: I will go on for a few minutes, Sir, and continue tomorrow.

Education: I agree that the money we spend on education is the best money that we spend in the Cayman Islands. It has cost me personally thousands of dollars to educate my children and I do not regret one penny of it, and I do not think our Government should regret what they spend in educating our people. But to my point, Sir, I agreed in this Honourable House and I bring back again, I cannot agree that we should be educating non-Caymanians, what we spend must be on Caymanians, I don't know what the ratio is but I feel sure we have quite a few children attending school here the High School, the Primary Schools that are not Caymanians that we are not entitled to educate. The average Caymanian that has to go away to make a living or has to go away to make a living I should say I guess, if they took their families with them anywhere else they must, they had to pay for education for them and there is no reason, it is no people better than Caymanians, not because you come from some other country, not because you come from some other white or some such thing, but Caymanians must have preference so far as I am concerned in the Cayman Islands, and they must be the ones to pay to educate.

CAPT. KEITH P. TIBBETTS: (CONTINUING). I feel that it is quite fair that we should ask any non-Caymanian to pay a one rate figure of what it is costing us to educate our children in the Cayman Islands. I am not referring to School expansions, etc; but our figure for education is 15% of the budget of this Government, and I believe if it is checked on you will find that a lot of the 15% is being spent on children that really we should not be schooling. Would you like to adjourn now, Sir?

MR. PRESIDENT: If the Honourable Member can wind up his speech in less than a minutes or otherwise he can carry on tomorrow morning.

CAPT. KEITH P. TIBBETTS: I cannot wind up in five minutes, Sir, I would like to carry on tomorrow morning.

MR. PRESIDENT: I think we should interrupt business at this point and the Honourable Member can complete his speech tomorrow.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED AT 4.30 P.M UNTIL 10:00 A.M. ON FRIDAY MORNING.

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON FRIDAY, 24TH NOVEMBER, 1978

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. - PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.R. BARNTON, C.M.G.	SECOND OFFICIAL MEMBER
HON. V.C. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN MOODEY	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G. MAIC BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES D. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M. BODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALFRON D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN GARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE EDITH BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K.F. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE
MR. JOHN B. MCLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ORDERS OF THE DAY

THIRD DAY

FRIDAY, 19th NOVEMBER, 1976

1. DEBATE ON FINANCIAL STATEMENT (APPROPRIATION (1978) LAW, 1978) CONTINUED

2. The Customs (Amendment) (No. 2) Law, 1975 - FIRST AND SECOND READINGS

The Petroleum Handling and Storage (Amendment) Law, 1978 - COMMITTEE THEREON

The Agricultural and Industrial Aid Law, 1975 - COMMITTEE THEREON

The Land Holding Companies Share Transfer Tax (Amendment) (No. 2) Law, 1978 - COMMITTEE THEREON

The Trustee (Amendment) Law, 1978 - COMMITTEE THEREON.

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FRIDAY, 17th November, 1978
10 a.m.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

STANDING ORDER 63 (2)

HON. D.H. FOSTER: Mr. President, before the debate continues, Sir, I think it is my duty to bring to the attention of Members Standing Order 63 (2) which says,

"On the motion for the second reading of an appropriation bill debate shall be confined to the financial and economic state of the Islands and the general principles of Government policy and administration as indicated by the bill and the estimates".

Mr. President, I would ask Members, if at all possible to refrain from dealing with Civil Servants, especially calling their names. I think it is a bit unfair - they are not here to defend themselves and they cannot, anyhow. And I think if we confined our debate on the bill itself, on the Budget Address, we would be much further ahead.

DEBATE ON FINANCIAL STATEMENT (APPROPRIATION (1978) LAW, 1978) CONTINUED

CAPT. K.P. TIBBETTS: Mr. President, when this meeting adjourned yesterday afternoon, I was speaking in answer to the Financial Statement on Education.

There are a few things in Education I would like to draw to the attention of this Honourable House, the first one is, the Education proposal laid on the Table in September of this year. In that proposal it was suggested that it be taken to the public. After I studied the proposals carefully, I could not agree that this was a matter whom we could take to the public to get their input to bring back to this Honourable House. I got in contact with the Member responsible for Health, Education and Social Services, suggested that we form committees to discuss this proposal. It was agreed upon; therefore I, in turn, had meetings with the four schools in Cayman Brac, with the PTA's of the four schools and asked them each to select a committee to make a report, make a submission of what they felt was appropriate for Cayman Brac and Little Cayman.

When the committees met on various occasions, they studied a lot of what was stated - they asked me to get the answers to a few questions that were not clear in their minds. I personally did not have the answers, as they were not clear in my mind either. I called the Member responsible on five occasions on one day, because there were going to be committee meetings on that night, to get some answers I felt he would be the only one in a position to answer in regards to these proposals. That was in September, up until now, I haven't got an answer, haven't got a call back, and each time I called it was at my own expense, it wasn't at the expense of the Government. The Secretary said she had given the Member responsible my number and asked him to call back, still I have no answer. Nevertheless, we went through with our proposals, our study, and have made submissions. I agree they were late in coming in but our committees were late in getting through with them.

I see now that we have another very similar proposal laid on the table and there are few, if any, of the recommendations or suggestions from the PTA's in Cayman Brac embodied in this present proposal. Nevertheless, I believe this Honourable House will

CAPT. K.P.TIBBETTS (CONTINUING): have a chance to debate it and then we can decide what is right and what's not right.

We have had a most unusual situation in Cayman ... Brac recently, as far as education is concerned, I don't know, I have no knowledge of how some arrangements were made, some set-up was put together to send a teacher over to Cayman Brac each week to teach Secretarial science. This teacher came over each Thursday, held classes on Friday and Saturday, during the summer holidays it went on at the High School in one of the class rooms. Immediately after school opened in September this teacher was notified that she would not be allowed to use either the classrooms at the High School any more. And in fact she was told the night she was given the message that she would have to leave the classroom by a quarter to eight because they were going to show a picture that night in the school, and it happened to be the picture of the Mohammad Ali fight.

The young lady (that was on a Friday night) had set an exam for her students for Saturday morning - they had nowhere to have it. All the adults (because they weren't children) went to the school next morning and no place for them to have their exams, and each one of those students had a receipt signed by the Cayman Islands Government representatives that they have paid a fee of X dollars for this class. The next week the teacher came back, it was a Friday until some arrangement could be made with one of the hotels to hold the classes in one of the hotel dining rooms or some such place. I cannot fathom, I cannot accept that when the Government collects a fee for an education that it cannot be held at one of the schools and had to be held in a hotel a most unsuitable place for such a thing. I can assure you, Sir, that this is beyond question.

On education I would also like to support the idea of them Mobility insurance has been put on the school. This, as I have said before, I feel is an essential service and I applaud those that were responsible to do this job.

The next subject is agriculture. Mr.President, I do not know what is happening to agriculture in the Cayman Islands. In Cayman Brac we have an epidemic of black lice or sooty mould as it is called, and to date it is almost impossible to get anyone to spray those trees. Every time you ask the person that works for the Agricultural Department or is being paid by the Agricultural Department, I guess I should say, he says "Oh, I'll come next week. My sprayer not working. I have to wait to get a pick-up truck to bring my equipment around". Personally, I have tried almost daily to get my trees sprayed but up until now nothing has been done. This has to be corrected, we cannot allow it to go on any longer.

The next item is the removal of import duty from certain items. This I support very strongly. The only thing is that soft beef is not a very commonly used commodity in Cayman Brac and Little Cayman, I understand there is a lot imported into Grand Cayman but in Cayman Brac there is not too much being used, therefore it really will not have much of an impact on the people over there. I would like to suggest that we add a very important item on to this list and that is sugar. A lot of sugar is used in the Cayman Islands and I feel that that is one of the commodities that we should definitely remove the import duty from and our Government wouldn't lose that amount of money.

I agree with what the First Official Member suggested that we should not debate the Civil Service. In passing, I would like to draw attention to one or two things that have been brought to my attention and that is leave for the Civil Service. We have in Cayman Brac a young lady that served for nine years as a sub-postmistress. I know the scale on which she operates, but last year, she had a baby, she is a married woman. After nine years' service and that lady was not given maternity leave. I do not feel that that is fair. When a person has served this Government

CAPT. K.E.TIBBETTS(CONTINUING): faithfully nine years that they are not given maternity leave like some of other civil servants who get it, just because she is the sub-postmistress, I do not think that is fair.

We also have another case right now, one of the nurses in the Cayman Brac Faith Hospital, which today is on the Government's pay-roll is due to go off on leave, I believe it is the first of December; this young lady is not being granted maternity leave. I am not aware of what she was told, but it was told to me that she could not get maternity leave because it is less two years since she has been working with the Government. I understand the two years should be up the 7th of January. I feel that we should treat our Civil Servants better - what is due to them they should get - I am prepared to support them, especially those in the lower-paid brackets, because a lot of them are really and truly not getting a living wage.

In conclusion, Sir, I know yesterday when I opposed the purchase of another plane for Cayman Airways, or the supporting of the money, I was opening a hornet's nest, but I must be guided by the people I represent. I cannot stand up here and go against the wishes of my people. Therefore I had no choice. I am a successful businessman - I know what it means - but then if I cannot convince my people I must be guided by their decisions. I know a fair amount of airline business, I have been involved in it for over fifteen years, I realize now that my time left in the airline business is very short, according to remarks made yesterday, I am not worried about it, Sir, but I want to say, again, that I must follow the wishes of my people. I have no other choice, they elected me and I feel that they trust me and that was their desire. I am going back to the people of Cayman Brac tomorrow night with it, God's willing and I will do everything I can to make Cayman Airways a success. I have done it, in fact, I believe I know as much of the history of Cayman Airways as anybody else and I really wonder often whom some of the people that have so much to say about Cayman Airways was when a few of us were struggling to make that a viable proposition in the days when we really had to punish for our service.

I said awhile ago, I have been employed to Cayman Airways over 15 years as their agent in Cayman Brac and Sir, I have never ever collected one penny office rent from Cayman Airways. They have never ever paid a penny office rent in Cayman Brac since they have been in operation, from the days of Cayman Brac Airways when it was made into Cayman Airways, they have never ever paid a penny rent. I find the office for them, I guess I put in more hours for Cayman Airways than any other one person - my office is open from 8 in the morning until 8 at night and there are calls coming in all day and all night from all over, still I accept it. So I cannot allow myself to be told that I am not working for Cayman Airways - I have worked for them and God willing, I will continue to work for them as long as my services are wanted.

So, again I will say I am very thankful to Mr.Johnson for the wonderful speech he has given us and I am looking forward to a very good year in 1979. I am hoping against the prediction of the United States that we are not going to have a recession and I am here to support my Government and to make it to the satisfaction of the people of the Cayman Islands.

Thank you.

MISS ANNIE E.HONEY: Mr.President, first I would like to associate myself with those members who have given credit to Mr.Financial Secretary for this glowing address he has prepared. I feel, Sir, that we as a people should be proud of ourselves - 15,000 people or less accomplishing what we have done.

Now, Mr.President, I would not like this Honourable House to think that this present Parliament or the one before that or even the one before that, was responsible for our good fortune. We have had foundations laid from as far back as I can remember and that was from 1831 for good Government in our Islands.

MISS ANNIE H.BODDEN (CONTINUING) : I recall the first Budget that I ever saw, not typed, written by hand and the revenue estimated for that year was £5,005 and expenditure £6,500 with one £ to our credit. Well, if we haven't come a long way then I would like to know what.

Today we have had presented to us a Budget in the vicinity of $18,000,000 - what an advance we have made and all because we have had a good foundation laid. The people of olden days worked together in harmony - they were God-fearing people. We didn't have any sports on Sunday and church neglected - those unselfish men they put God first, therefore we are enjoying the fruits of their labours.

I feel, Mr.President, that we should be the most thankful people in this God's world. Sometimes when I hear the news of floods, earthquakes, pestilence of any description, wars and rumours of wars, and we enjoy such wonderful weather and above all we live in a democratic country.

We have no class distinction in this Land, no distinction in colour that I am aware of, we live together as one big, happy family and I hope that it shall continue to be so. Of course, we have differences of opinion but nevertheless, that is what makes a life worthwhile. If everybody agreed on one subject we wouldn't have any need to have even a parliament. No countries, no anything - we would be stagnant, but we are a progressive people and I hope and pray that we remain so.

Now, Mr.President, this ailing economy. I am very happy about it. You know, after the 1976 elections, all you would hear was "We'll go down the drain now". But that thank God that has been proven wrong, we are going up and up every day in our financial standing.

I remember, Sir, the first Bank - Barclays Bank - a little office on the waterfront and hardly anybody even knew it existed. Now look at the multitude of banks we have and we can hear all over the air "if you need money just come to Barclays, Royal Bank of Canada, or some such bank and you can get the money you need". My colleague from North Side has just said "you go to Barclays you see what you get".

Well, I feel, Sir, that Barclays and all the other Banks are very, very generous. Of course, I must agree that you must have some collateral to back up when you want to borry some money but they have to be cautious, because they are not risking out their own money personally but other people's money and I feel that they must have proper collateral to back up their loans.

Now this mortgage scheme whereby Caymanians can get these low-costing houses I feel that is a very good plan and I feel that whichever bank is responsible for this is supplying a good need to the public, because not everybody can afford to build an ultimate house, but in these modern days everybody wants to have wall-to-wall carpet, television, refrigerator, de-frosted, stereo, unusual to none and if they have such ambition and will work and can get assistance I don't blame them. I heard a former Member of our House say some years ago "What is the use of me living in a thatched hut and leaving what I have to my children, let me enjoy what I have now, even if I have them in debt to pay for the house I live in". Well, I don't agree with that policy but if that is the way he felt I am sure it was his conviction.

Now these companies registration. I remember the first company that I ever knew being a limited liability company formed in the Cayman Islands and that was the Dimpsee Company and we, at that stage, had to borrow the Jamaica law to be able to form this company. Nevertheless, we have progressed to the extent that we have thousands of companies registered and it a great advantage to our Government.

MISS ANNIE H. HODGE (CONTINUING): The skins' registration - I am glad to hear that that is also on the upstand, but what I feel is this - sometimes you hear over the air such and such a boat registered in the Cayman Islands has been found loaded with ganja. I wonder sometimes if they are not using us as a sort of cover up for their misdeeds. Nevertheless, I cannot personally do anything about it and I feel that the powers to be must know what they are doing. One thing I find that we should insist on this - that all these boats should have proper lifesaving equipment. I remember in the olden days when the Clipper use to run between the Cayman Islands and Jamaica annually they had to have marine inspection - they had to have their life-boats properly fitted, rat-guards and all the other things that went with proper equipment at that time. It was compulsorily and I feel that we are not doing our duty when we allow these small boats to be registered here, and we do not have an inspector to see that they have the proper lifesaving equipment.

The Patents and Trades Mark - I am glad to know that that has brought us in some money.

Now one subject that I really feel deserves some consideration. I see here the money derived from Marriages, Births and Deaths - the records, I presume. One thing that alarms me greatly about the Cayman Islands is this - the easy way that men and women can get divorces. Sometime you go to the courtroom and with the slightest little flimsy thing you hear such and such a person is divorcing so and so - why? The foundation of any Island or land is a proper home. If the home crumbles, collapse is there any wonder that we have prisoners, juveniles abounding? I blame the parents for all this mis-hap. Humanity sensible people can get together and iron out their differences, why put it in the Courthouse or in the streets? Well, I am going to tell you, Mr. President, God never provided me with a husband and perhaps I never had the sense to hustle to get one for myself, but if I had I would have toned my endeavours to run the home in such a way that we ironed out our differences.

I had a mother and a sister, I was raised without a father, and our house was no near heaven as you will find in this earth. Now I am not saying we didn't have differences, but we had sense enough to smoothen them out and that's what I feel that should be done now. And when these people have to go to the trouble to divorce and make public all their affairs, its bad, even if the Government is prospering and getting some money from it.

Tourism - Mr.President, tourism is nothing new in the Cayman Islands. It has advanced considerably, but I recall our Commissioner he was at that time, Mr.Cardinal, he went all out to have tourism introduced to this Island. In January of each year he had regattas with at least 25 or 30 ships in the harbour sailing, cat-boats - numerous and people came here chiefly from Jamaica and in those days, Tampa, to see what we were doing. Talking about Pirate's week - now that was fun to what we had in those days. All day parties, dances, every kind of imaginable entertainment and from that time tourism started in the Cayman Islands. But, thank God it has progressed and is still progressing. And we should be thankful that we have kept ourselves so strong and stable that we encourage people to come here, and I feel that we must continue in the trend that we are going. We must not be led away by foolishness - we must have no Alexander's dream - we must keep our feet on the solid rock and go and get what we want in the right manner.

MISS AGNES M. BODDEN (CONTINUING): Now the earnings by the seamen, of course in these days, seamen are more-or-less looked down on but we thank one great Caymanian and I shall call his name, the Honourable Albert Collinridge Panton who was instrumental in securing jobs for these Caymanians. Prior to that we were in poverty. Our first little earnings above the ordinary came from the just what miller waged that big war, before that Caymanians had to go abroad and earn what they could. If they couldn't get a job, come back home, our economy was the same industry, but when Cayman started and Caymanians were able to get jobs abroad and get good pay we started to come up. And after that with the advent of National Bulk Carriers employing Caymanian, mostly that was the wonderful thing about it.

Houses in those days had to be built stage by stage and the people had to work and work hard to get what they wanted.

Now I am very happy that construction is still on the improve and I hope that it will not be said that the Planning Board is in anyway deterring the building of these hotels and other buildings. The Planning Board get a lot of criticism because they say they are too curious. If they do not like you you don't get a permit. I don't think that's correct. They might be a bit prejudicial in some instances but nevertheless they cannot hamper construction.

Now the Port Authority Ordinance, I am glad to know that is being improved. I know about ten years ago business was very slow, but since we, the present House I would say, were able to pass that Development Plan we have brought that Authority up from where it was. Because it had stoken to a very low level but with people knowing what is what, what is commercial, what is residential and all the other particulars, they feel sure now that when they buy a piece of land it is bought for commercial, as the case may be, or residential, that next week they will not be told "you cannot build where you have bought".

Now this Oil Transfer operation, I think that one gentleman whose name should be up on the list, I don't hear much mention of that and that is Capt. Tino Bodden. For years and years, everytime I see him "What are you people going to do about this oil terminal or little Cayman". The former House, something to improve had it ekeluud - they didn't think it was worthwhile, but I will give this House credit - they investigated and found a way and means to have this done. And I feel that Cayman Airways has and will do a great job for all the people of the Cayman Islands.

Now, Mr.President, this is not the first time that oil terminals were talked here. I remember, I think it was in 1964 when they called the Jim Matthews's Petroleum Law was before this House, and we stayed here until five minutes until twelve fighting to destroy that bill which would have been the biggest handicap that ever was in the Cayman Islands. Of course we had legislators then who would have benefitted by the arrangements to put this oil facility at North West Point and we had a hard time fighting them. But there were about 6 or 8 of us who fought and we had that destroyed to the extent that I don't think it will ever come back to this House. However it would have been most detrimental - our beaches would have been destroyed and just one or two people get rich off of it.

One Governor asked me at one time "How many times have you been to lunch with Mr. Jim Matthews?" I said I don't even know that now if I call him and further more had I even gone, it wouldn't have changed my mind.

Now legal implications, I feel that they can be helped but I am not sure that there is too much field for such a thing. The jewellery and other businesses which have developed

MISS ANNIE R.BOUDEN (CONTINUING): and this black coral has greatly helped, and I am sure that we shall be able in the future to continue on.

Now inflation. It's all know we have to face that and it is hardly anything we can do about it, but since we have the wherewithal to get what, we hear, we need, we have to be content and do our best. As I said, I am very proud of the revenue and just think what a strain it has been on our Financial Secretary to be able to find ways and means to keep the economy where it is. It has not been an easy job and when I hear some people say this present Financial Secretary is getting too old, he is like Annie Bodden and Craddock, he is too old, they should be put out, I wonder where they will get a replacement for our Financial Secretary. I wonder where? Now I agree I am old but I still am worth at least two dozen of the teen agers that I see going now.

Now people complain that we spend too much money. What use is money unless we spend it and we need to spend money to get what we need. I am very proud of these buildings that we have had erected and when I hear people ridiculing the former Government I take exception to it because they have left land-marks which will never be thrown down and I, personally, am very proud to be in this Chamber. The Court House, the Glass House - they are buildings that each and every one of us be proud of - and to think that only 15,000 people with no aspects to speak of - only manual labour and God's richest blessings has enabled us to have this behind where it is today.

Now the Immigration Department - I am not happy about some aspects of that. I feel, Mr.President, that when we allocate money to have Deputies we should have those people placed in proper jobs. You cannot make me believe that we cannot find suitable men or women to fill that post and I hope that in this 1979 year coming that we shall make every effort to improve the personnel of that Department. You know, Mr.President, from July this year I made an application on behalf of a certain things Team man to get a license to sell motor car parts and up until now November, he has never had that license granted to him. He paid the £100, and nothing doing. Sure people say it is because Annie Bodden made the application, but I don't think I'm that unpopular but I feel it is sheer neglect that the Immigration Department which controls the Cayman Permanency Board - I think they are negligent. And I would like to see them have the proper and efficient personnel - they do have some wonderful people working there and the Head of that Department, I think, is doing a marvellous job, but if they need more man to do the job, let's put them on.

Now the Department of Broadcasting -when that was first mooted in this House, I can hear some of the Honourable Members saying "What foolishness! What foolishness! What are we going to do with broadcasting". Well, I feel today that is a great asset - at least we hear what is happening sometimes. I will agree that they do not broadcast all that they should, but nevertheless it is a good operation in our Island and at least those people who have birthdays, they must be happy because at the hour every day they can hear who recommends and remembers them.

Now the Civil Servis training. Mr.President, one thing I have against this Government is this - if we find eligible people to go for training and they come back properly qualified, they should be given preference to a job. They should not be thrown aside and go and pick up an outsider off the street, because they like him or her, and that poor person who has spent years, is not given a chance. That do not right, and I feel, Mr.President, with your supervision in this matter that things could move more smoothly in this direction.

MISS ANNIE M.HUSBAND (CONTINUING): ...the Legal Department. I am very happy about that. We have an able Chief Justice and an able Magistrate and we have what I have always advocated, when it gets beyond us, we can always appeal to our good neighbours and we have qualified, competent, fair-minded people come to advise justice. You know sometimes I have gone to court and I've felt so very sorry for those people who couldn't afford legal assistance. I remember once I went and there was a case with an poor, unfortunate West Indian who had several convictions and just because he said "I have no money to employ legal assistance" I don't think that he was given a fair trial. I have heard people, and in this particular instance, there was another person there who had committed a similar offence, they were acquitted and this poor man had to serve eighteen months. Now that is not right. But now, Mr.President, I feel that we have always gone right in that direction. If I go before the Magistrate and I am wrong I expect to be fined. If I am right, I appeal to be acquitted. And, Mr.President, what people fail to understand is this: that when people appear before the court it is the evidence that is heard in the courthouse that either acquits or condemns them.

Now the Health Services. I feel, Mr.President, that we have gone a long ways in having a hospital such as we have. And we should do everything to support it, but we need to know that these nurses, in particular, because I have heard no complaint about the doctors, but they say the nurses sometimes they want to act smart, and say that because they are Caymanians they cannot be fired. But being a Caymanian is not a fact that you must hold a job and just look at it. You must do your work and being a Caymanian entitles you to put more effort into it, because after all this is our Island and I feel that our health services have been improved remarkably.

When I was young, Mr.President, we had one doctor here - Dr. George Norman Hurley Bodden - and I told his daughter sometime ago that if he had all the facilities that we now have I don't think anybody would have died, because he was able to operate on an ordinary kitchen table - take off people's legs, take out their tonsils and all the rest of it. And look at where we have gone today! We have a hospital second to none and I think credit should be given to the former Member who was responsible for Health, Education, etc.

The Social Welfare Services. Mr.President, I feel like in the olden days, if I am what they call a pauper and my people neglect and will not do anything for me, and if I have some property, that the Government should see that I at least get food to eat and that I do turn over my land over to Government. That's what used to happen in the olden days, but now people will neglect their children, children in turn neglect their parents and some poor people who are facing poverty, should not have that to do, and it is not the Government's responsibility to maintain people who have their own families and I feel, Mr.President, that if these old people are neglected and they have a bit of land somewhere then the Government should take that land over and see that they are properly fed at least.

The little bit of poor relief they get is not much but I suppose it does help.

Now the Education Department. Mr.President, I feel that at last we have a good system going. When I went to school at the age of 5 years old, I was in what they call then the Third Book. I can't forget it - it had the story of Alexander's Dream When I was in question and when we went to school when we went Monday morning your name was called, "Annie Bodden" - "Here Sir" - you had to pay three pence a week. And it went on

MISS ANNIE H. ROSDEN (CONTINUING) from the time. Well, in 1920 we had free education. When I was 16 years old I passed my Third Year Pupil Teacher's Examination. I got Two Pounds for passing and I was the happiest woman in the world - a child then. Because I said 'Well, I have Two Pounds I'll be able to get shoes for Christmas'. What happened the Teacher said you will have to take further studies and the sum of seven shillings and six pence went to buy algebra book, French book, Latin, but fortunately I went to work in Nassau before I was 16 years old and I have worked ever since. And today I can thank the work I worked for of my knowledge of court work, law, assembly, etc. and I am very happy in my work. And I would urge that we keep up this system.

I didn't like to hear the other morning what I heard here that if an expatriate comes here he would have to pay scholarship for his child. Every person we educate we are making a better citizen for the world and uneducated people what good are they? They can't even read, but I do not feel, while I agree it is a costly proposition, nevertheless, that little bit of extra money that we might spend on these expatriate children, they call them (I don't call them that - I call them non-Caymanians) people who come here to contribute to our welfare, that we should not extract school fees. What I would say is this that when we have scholarships giving away Caymanian should be the only ones to receive those scholarships.

Now I don't go much for agriculture because I do not believe that this Island can produce or if it is the laziness of the people that they do not produce certain vegetables. I remember years ago at Bayern Here when the Cubans would come down in February and March with tons of yams which Cayman Brac people had planted. I dont know if they still plant, but I never hear of the importation. I always hear that they have to get yams from Costa Rica and other places. I don't know what has happened - may be it is the lack of rain, or insect destruction, or may be laziness of the people. Because after all, digging with a machete, you can hardly get anybody to do that these days. They want their hands kept without blemish and I don't know if the Government is wise to put any amount of money out unless we have assurance that it will be profitable.

Now, Mr.President, speaking of the Endangered Species Protection Law. I feel today, Mr.President, that when we pass this law, we didn't exactly know what we were doing because from the time I was a child there were at least 15 to 20 boats going to the Miskito Cays bringing in turtle by the hundreds and now there are only two or three going. Certainly, the breed of turtle has not diminished to that extent and I feel, Mr.President, that while we have the turtle farm industry that that should be encouraged and certainly never done away with if we can any better do. Nevertheless, if a poor fisherman wants to go out on the Mosquito Banks and catch a few turtle and bring him and sell, that we should not do anything to hamper him.

I heard somebody come to my office a few days ago and said a man, a captain of a small boat, had been warned for prosecution because he caught 40 turtle. I don't think, Mr.President, we should do anything to hamper their trade.

Now, Mr.President, the Mosquito Research Control. If there was ever a God-send thing it is the day that we were wise enough to pay to control mosquito. I remember up to the year 1945 that all you had to do was to go outside and grap the mosquitoes by the handful - you could not survive and the day we get mosquitoes like they were before we can forget about tourism, in fact I don't think anybody would live here. But we must see that at least we find

MISS AGNES R.BODDEN (CONTINUED): money to support this project.

Now the Lands and Survey Department has done a good job. Sometimes they are a bit quibbly and expect you to find papers that you hardly know where to find and I will say that some people have gotten lands which they did not have in the past and whereby had land lost it. Nevertheless, now we can go to the Registrar of Lands Office and find ourselves getting a document very easily, pay your stamp duty and that is it. While I do agree that in some cases they are rather harsh.

And another thing is this, Mr.President, I feel (and if I am out of order please correct me) that we in the past have acquired lands for the Cayman Islands Government which they do not own. If I am a landholder with a document over 100 years of age, I am saying, and that entitles me to swamp land, I am saying it is not right and fair to be told now that that land, swamp land, belongs to the Crown. I mean are going absolutely wrong and I have tried, and I will try again, to introduce some kind of resolution that any person who has or had proper documents covering this swamp land and the Crown is now claiming it, that it should be reinvested back to the rightful owner.

Now the Port Facility. There was never a project in the Cayman Islands that has received such criticism. My Honourable colleague in the last Government was criticised beyond words and I along with him. But I always warned that port in George Town and we hope it pro it is a credit. When you saw ships lying out there - before they had to wait out in the stream for days and days and days and now when you see that beautiful facility, we should take off our hats to the people who engineered that. Dont let malice and hate and spite any because I was against it it was no good - that is not the truth. It is a great facility and we, as Caymanians, should be proud of it.

Now, Mr.President, Aviation. While I do not like planes, I have no intention of travelling, nevertheless I feel that we have gone a good ways in improving everything. I can imagine in the olden days we had to wait eight weeks to get one letter from Jamaica or a little bit of freight from the United States - between three and four weeks. Now, we can have service daily and I hope and pray and trust that this will continue. But what I would like to impress on all of us is that when we have a job to do, do it thoroughly.

Mr.President, I remember when the Cumbee was running, but on one occasion the two engineers got kind of - I don't know what it was - had too much beer or what - anyhow, they left the ship at East End and came to town and our then Commissioner ordered the management of that company to suspend those two licensed engineers for three months. Now that was not a Government-owned ship - that was only subsidised and I think people who neglect their work should not fare much better. Of course, we are all human and we all make mistakes, but nevertheless when we have a job to do, we must do so.

Now, Mr.President, this year 1978 looks very prosperous and we, each of us, should endeavour to do our best to see that we work together in harmony. Of course, as legislators we shall have differences of opinion, but nevertheless we should not bear malice towards each other. That is one thing that I detest - I hate it - that if I differ from any member of this House that they put out personal spite. That is not the way for a country to progress - it is by a united effort that we shall get any further than where we are now. It is not our legislators quarrelled among themselves, but they were not spiteful. They didn't go overboard to harm each other and I would like that same spirit to

MISS AGNES H BOOTH (CONTINUED): present today and with God's help we shall go from strength to strength. Thank you, Sir.

MR. DALMAIN ESAKOV: Mr.President, I too want to join first in congratulating the Financial Secretary for such a lengthy and well-put together speech. I am sure that in his time here that was his longest speech and I would say one of the best, if not the best.

I am very proud of it, Sir, and I know and feel that the Island in general is very proud of him.

Listening to that speech one can see that our Islands are on the upward trend. That Sir, comes from a good Government - a Government that causes investors to have confidence in it that they can come and invest money here. And I hope that it will continue to be that way, Sir.

Now life is mixed with both things - the sweet and the bitter. Although the opinion is mixed you have heard a lot of gripe and problems, from various speakers. This, again, is life, Sir. Some of it may be correct or may be just talk but I would say is that the old saying is 'where there is smoke there is fire', I think these things should be looked into and what needs straightening out, be straightened.

Now I don't know whether what I have to say is going on problem but I would say it's problems. I am going to speak a bit on what my people are asking for in that Bay. We have roads, some that are unfinished, some that need widening and I feel, Sir, that this year coming these things should be looked into seriously.

I also have a play-field there that was to be rectified and has not been finished yet and I think it is about time that it should be completed. I would like to see that finished in January, if possible.

Now, Sir, we have a problem and a very serious one. Drugs and our youth. I feel that in that Bay it is worse than because we have more youth, and it hurts me to see, really, what is going on there among the youth with drugs. I don't know can be done, but I think steps should be made to tighten up more on the drugs.

Taking a youth to court and imprisoning him or charging him is not the thing. We have to get keeper's source. The guy that is importing this thing here in the person that we want. I am sure when I say that most of this drug is brought in by boat, dropped off in these Islands at night-time.

This brings me to a point again where we should have coast-guard boats around these Islands, at least two. We should set up a proper patrol to curtail this dropping off of drugs here in these Islands. I don't see any reason why we can't have this, Sir. I am sure that in Great Britain there are various types of boats in their dock-yard, M.L.H.D.M.F. and what-not from those that we could have, even the United States have them, and I feel sure that they would be glad to furnish us in this, Sir, and I would beg that we try to get this thing going.

Another thing, Sir, that will help our youth is more recreation. We have still none and recreation is something that is needed for them to burn their energy. I am a man who love sports also - I have tried to, organised boxing especially here in this Island. Some of late I have had youths coming back to me asking me to try and help them and I am determined to try. I want to form a boxing association, and we [illegible] in March next May this year. This is an expensive sport, because it requires

MR. DALMAIN EBANKS (CONTINUING): a lot of equipment and expensive equipment but I feel sure that I can get help from the private sector and I am going to ask the Government to assist with the balance of it so that in this coming year I can get it going.

Now, Sir, the tourism industry is on the boom and I am very proud of it. What we need is accommodation. I would like to see at least two to three more good hotels in this Island. On the West Bay beach which is the headquarters for tourism, I think we should have more hotels there. I do not know what planning can do about it, but I feel that they made a mistake when they allowed so many condominiums to go on the beach. I am not knocking condominiums, Sir, they provide a lot of work, but the difference between it is this that when the construction of condominiums is over that is mostly where all the money that one is able to get out of it because they do not require so much staff to operate them. Whereas a hotel will employ up to fifty and sixty people and we have each year the school-leavers that we have to provide work for, we have a hotel training school and it is needed, Sir. So I would like to see if something couldn't be done about that.

Now, Sir, I am not knocking anybody, I am not knocking Civil Servants or anybody else, but again as in all jobs you will find the laggers. I know we have some top, earner, hard-working civil servants but you will find those that are lagging. I am a man that has been working abroad, working for companies and what-not. I work for my pay - everybody who works will get paid and wants to get paid, but there is more to a job than that, Sir. A man or woman who is employed should feel the obligations to the employer and do their best to help that company or whoever they are working for, because that company is paying them, and the Civil Servants who are in our Government should feel that it is their duty to help run this Island. I'll quote, I think it is from Shakspeare "Breathes not a man with soul so dead who never to himself has said - This is my own, my native land". This is the way Civil Servants and everybody else should feel about our islands and our Government. This is our own native land, let's work together and make it the best that we can.

Now, Sir, with all that has been said and done, the progress being wonderful, the coming year even looks better and I hope it will turn out to be that way, I and this House feel that we should congratulate you also. We feel proud, honoured to have a person such as yourself in the seat guiding Cayman and I pray that you may be able to remain a few more years. May God bless us all. Thank you, Sir.

HON. C. RAIG HUDSON: Mr.President, I especially want to speak today because today is the second anniversary of this new Parliament. Two years ago, on the 17th of November this very day we held our first meeting and the new Executive Council was sworn in and the Members of the new House took their seats for the first time, and so today is a remarkable day in the history of these Islands and it is further significant in that today is also the half-way mark in the life of this Parliament. The 1980 election is exactly two years away under our Constitution. We have come a long way in these two years that have passed and there is still a half of the journey remaining to be done.

You can only judge a people or a Parliament or a country on its actual performance. You cannot judge it by listening to the fine beats that are normally heard in the few days after an election.

HON. C. HAIG BODDEN (CONTINUING): One look at the budget that has been presented and one look at the extraordinary budget speech should be sufficient to convince even our most ardent detractors that the two years between November, 1976 and November, 1978 have been years of plenty for the economy of the Cayman Islands, and every member of this Chamber has contributed significantly to this, and I would like to pay special tribute to the five members who were returned from the old House; those five members are the Lady Member from George Town, the Member from North Side, the two Bodden Town Members and the Member of Executive Council from Cayman Brac. Because these five members were returned to this House on two key issues. I had promised not to make this public declaration until 1980 but the results of the two years have made it so apparent that even he who runs may read. And the two issues to which I refer were the 1976 Development Plan and the Old Terminal in Grand Cayman.

All Members who lost their seat in the 1976 elections were diametrically opposed to putting in a 10 year development plan and were opposed to the establishment of the Off Terminal in the Cayman Islands, and I am confident today that the great resurgence in our economy is in a great part dependent upon the attitude adopted by the five old members that have been returned and the new seven members that have come into this Chamber.

Some may disagree with me but if one remembers the 1976 campaign one will know that these five members who were returned, no matter in what areas they differ on these two points they were in agreement. If we are returned we will do away with that old Development Plan and we will go and put together something that the people of these Islands can work with. They were also in concert that if they were elected they would see that the old terminal became a reality and my campaign in 1976 was based upon the premise that these two things could make a change in our economy, and two years later I am proud to say that that premise was correct in every respect.

It is true that the Members who lost their seats did not see this. Some people may argue there were other reasons. Undoubtedly there were minor reasons but the 1976 elections were fought not on the subject of Independence, not on the subject of Internal self Government, not on the subject of Ministerial structure, but on the subject of whether the Cayman Islands would survive as a country, whose economy could pay its own way and I am absolutely convinced that the Members in this Chamber had the foresight to see these things and I must say that they have worked hard on these two areas. And if one looks at the performance of the Budget, one can see the result of having acted in this manner. We have been able to wipe out this year a deficit which had been accumulating for three years. We were able to turn a projected shortfall of nearly one million dollars in 1978 into a surplus of about $600,000 for 1978. In other words a one and a half million dollar improvement since January, 1978.

While this deficit has been wiped out, the year 1978 comes into being with a projected surplus of over $100,000. And this, besides being in itself a remarkable achievement, is an unprecedented occasion when it is remembered that the 1978 figures do not include any increased taxation. And as if that were not enough having no increased taxes, no new tax measures are introduced, and it is hoped that none will have to be introduced during the coming year. And as if in an effort to prove that it was accomplish the impossible we are in this setting reducing taxation, in fact, we are removing the import duty from three food commodities. The duty will be removed from rice, salt beef and evaporated milk. One Member mentioned that sugar could be added and I would like the House to know that not only sugar, but other items were considered for the

HON. C. HAIG BODDEN (CONTINUED): removal of duty, but because it may have interfered with the revenue structure it was decided that at this time only these items would receive this favourable treatment.

Now to whom should the glory go. I would say it should go to the Financial Secretary, to the whole Civil Service, but most of all, it should go to the people of the Cayman Islands who had the foresight two years ago to elect a Government of the people, by the people and for the people.

I wish that I could stand here today and tell you that all is well, but that would not be the truth. Because the job has just been begun and the rest is left to the people of the Cayman Islands to guarantee that the road on which they started two years ago will continue in a bright and prosperous manner.

While I believe many advances have taken place, I also know that there have been many complaints, there has been some dissatisfaction in certain areas, everybody seems to have a complaint. Everywhere I turn somebody is crying on my shoulders. I believe if Moses has to come down today from Mount Sinai the two tablets he would bring would be expensive, because in this country there are a few - and thank God only a few, that believe that Government must do everything for everybody, and let me tell you that is the heart of communism and socialism. Government should not be the great equaliser - Government should not be making everybody equal. What Government must do is provide the opportunity for everybody to be equal, but for those who will not work and for those who will not try they should suffer. Government must do what it can, but the citizens of the country must do themselves try to help. They should not be running to Government and expecting Government to do everything.

I have found that all the peoples of the world can be divided into three categories - those that make things happen, the many that see what is happening and the masses that don't even know anything is happening at all. And I feel that the people of the Cayman Islands can will be amongst the class that make things happen, because we can be an example to the rest of the region, in the Caribbean as a whole.

Criticisms were made from time to time by a few isolated groups to tell us to follow what is being done in neighbouring countries, to tell us that we must adopt this because this is done in Cuba, or Jamaica or Guyana, but I want to tell you that as far as communism and socialism is concerned, there are no successes to point to. Name for me a single country on the face of the globe that has adopted the socialistic programme that has become an economic success - there are no successes to point to, and this is why I like the attitude of Caymanians - being independent capitalists who believe that a man should be rewarded for what he does - that he should be paid in accordance with his several abilities. So the next time you are told to ban the importation of an item because it is done in Jamaica, or you are told that Government must take over this and enter into this private business, you tell them that you have only Cuba and no successes for you to follow.

A very controversial aspect of this budget is the raise to the Civil Service. Members will know that ever since 1972 the Hon Member from Bodden Town and I have always supported an increase for the Civil Servants and today I am happy to state that we support the raise which has been contained in the budget. This raise will cost $500,000. - it is forty-four per cent of the recurrent expenditure for 1978 and is a substantial sum of money, but I believe the Civil Service deserves this raise and I believe that

HON. G. MAIG BODDEN (CONTINUING): the Government can well afford to pay this increase. However, I am not convinced that a 95% increase would have been justified. In order to give a 25% increase the amount would need to have been two and a half times $680,000, or a sum far in excess of $1,000,000. And in fact what to give the requested 15% would have taken the sum of nearly $500,000. And this would have meant the imposition of many hours to raise another $1,000,000 to give this increase.

So I feel that as far as dollars and cents are concerned the raise is not justified to 20%; I feel that reasonably it would be unwise to try to stretch the budget to pay this extra amount.

The Financial Secretary will probably be going into the details of the consumer price index and will be able to show whether the 25% is justified upon the facts or whether it is justified upon the asking of a few.

Turning to my portfolio one Member mentioned the fact that the budget contains an item of some $100,000 to purchase an excavator for Mosquito Research. Members know that this is in aid in the physical control of mosquitos. Do we want physical control or not? What does physical control mean? What does it do? Physical control is the digging of canals and making of dykes in an effort to get rid of mosquito eggs before they become adult mosquitos.

We have in the Cayman Islands 28,000 acres of swamp, breeding mosquitos. Out of this 20,000 acres only 2,700 acres, so far, have been cut up in canals. There still remains another 25,300 acres to be done. During this year we had a very good demonstration of the value of these canals. In the West Bay area where the canal work has been done one trap in a single night caught only 100 mosquitos and while this in itself is not a comfortable number it is an improvement when you remember that that same trap in 1971, before the canal work was done caught 40,000 mosquitos and this was done using a flashlight bulb as against a more modern trap lamp with a 6 watt bulb. So there has been an improvement, but further to that, in the Bodden Town area, on the same night when the West Bay trap caught only 200 mosquitos, the Bodden Town trap had 260,000 mosquitos. Not quite a record as West Bay had beaten it once by 7,000, but these are situations upon which the Department of Mosquito Research can justify the work they are doing and if anybody believes that we don't have a mosquito problem, let me tie him hand and foot and let him age in Breakers tonight.

It has been questioned why do we need this new equipment. The answer is simple. An error was made some years ago in purchasing hy-mac from England - it was not an error, this was explained in the Budget Speech that a lot of stuff was coming from England under British aid and one of the pre-requisites of getting that aid was that we agreed to buy it in Britain, and today we are stuck with machinery for which we can get no spare parts. The request for this machine came to us one year ago and did not reach the Legislative Assembly because we didn't put it forward. There has been pressure throughout the year and have again we did not want to put forward a supplemental request, and so the purchase has been delayed.

In a check on the performance of existing equipment I found that during the year 1976 we had wasted $37,000 in paying heavy equipment operators because there was no machine for them to work with. So we have reached the stage where machines spend more time in the repair shop than they do out in the woods.

HON. G. MACDONALD (CONTINUING): In fact a machine should give 85% utilization, leaving the 2% for maintenance. The performance of one of these machines during 1974 was only 47% and when you are only getting 47% utilization from a piece of equipment it is time to get rid of it. Also when you are spending, as they spent this year, $78,000 on spare parts, and when the machine remains at the Reading Swamp from December, 1973 to the 20th of March, 1974 without a single hour's work, it is time that action be taken. And so with the exposure of these facts, it is hoped that the Assembly Members will, when they get to Finance Committee, not only recommend the purchase of new, but the purchase of the pieces of equipment.

Also we will be purchasing, not only from England but from Scandinavia from the United States where we can get spare parts on a minute's notice, where we can even fly down a man if necessary to do the repairs.

We also considered the stocking of spare parts to keep these machines working and when we examined this we found out that that would not be economical. It would require about $60,000 of spares to make sure that you had the spare you wanted, and even then you might not have the spare, because this type of machine is just as unpredictable as your motor car, because when you buy one part you never have any trouble - you'll have trouble with the part you did not buy. So I feel that this item in the budget can be justified and I would ask the Members to support it.

There was a criticism that the dyke roads had been closed. It is true that the dykeroad at South Edmond and one of the inner dyke roads, has been closed temporarily because Mosquito Research had dumped some loads of marl on these roads. The marl was not put there to close the roads at all but to repair them but because of the heavy and incessant rains it was not thought best to do this work right away - they had to wait until the rainy season was over, and the dyke roads being very narrow, the marl had to be dumped in it. The dyke roads are not public roads. If Government wants to set up a road policy and make all the dyke roads into public roads, well, that is fine; at the present time the dyke roads are not considered public roads. If Newham agrees, and want the question examined, and are prepared to provide the necessary funds which would take in excess of two million dollars to bring all the dyke roads up to the necessary standards, for a public road, I have no strong objection. Until that time, it is our considered policy that the dyke roads are not public roads.

At first when the roads were put in initially, there was an understanding between the Mosquito Research Unit and the landowners that the roadswould not be public and if Mosquito Research were now to make them public, this would be a contravention of the understanding between the owners and the Department. However, if the landowners, in sufficient quantities, agree that it would be a good thing to make these roads public, well, the Department and Government could have a new look at it.

Of course, these roads were put in for the purpose of mosquito control and it is the feeling of the Department that if they are used too much the work could be hampered. Of course, this is a small matter that could probably be overcome by the widening of the roads. But the point I want to make, is the point I started my speech with, that one must not expect Government, every time that one feels to shake his

HON. G. HALO SOSDEN (CONTINUING): hand to do everything at once.. These roads were put in for a specific purpose and if people want to use them, they could help with the repairs, rather than complaining when Government is putting their work to repair them.

On the subject of agriculture in Cayman Brac the Member mentioned the epidemic of Black Mice. I think the Member knows that the Department in conjunction with the problem and that during last year we found a young man from Cayman Brac, we brought him to Grand Cayman; he was trained at the Department to do the spraying in Cayman Brac and that contained in the Budget before the House under New Services is provision for a spray operator in the Brac, and the amount provided to pay his wages is $4,600. During last year a bit of spraying was done by this individual and I think he was paid out of the Casual Labour vote from the Department here.

During the year we passed the Endangered Species Law. Members know the reasons for this law and what it does. The law makes the Cayman Islands a party to a United Nations International Convention for the Protection of Rare Animals. We did not adopt this convention when it was originally passed. At the time of the passing of this convention the Cayman Turtle Farm was exporting turtle products to the United States. One of the animals protected under this Convention is the Green Turtle and the United States Government had made an exception so that we could export to the United States turtle products farmed on the farm in West Bay. Since that time pressure came upon the Government from rock-eyed conservationists in Washington to change this exception and the U.S. Government buckled under the pressure of these extreme lobby ists and passed a new ruling which went into effect on the 6th of September this year. That new ruling bans the importation into the United States of all turtle products, including those from the farm.

If there had been no relief the farm would have been in serious trouble, because the farm now exports 65% of its products to the United States, and the other 45% is trans-shipped through the United States to Europe and other countries. So the farm's existence to a great degree depends upon trade with and through the United States.

In an effort to get a change in this prohibition order, we were instructed by Legal Counsel in the United States and with the help of the Commonwealth Office, we were put in a position where we would have to adopt this convention to relieve the pressures from the lobbyists, and so it was after deep consideration that such a law was brought to the House. I need not remind Members that the turtle farm employs some 80 people, most of them from West Bay and the farm is the exporter of over a million dollars' worth of turtle products, and the farm is also a big spender in investments in West Bay, so it's continuance is very important to the economy of these Islands.

Provision is made in the law that turtles may be brought in if they are caught in our own fishing limits. New members will recall that some months ago this Government made a proclamation establishing a 200 mile fishing limit where we are more than 400 miles from any land. If we were in contact with any land mass within 400 miles, our fishing limits would only extend to half way between our shores and the land mass. For example, Cuba is about 90 miles from us - our fishing limit would only extend 45 miles. Also there is a provision in the law whereby the Government may license someone to trade in one of the animals or plants mentioned

HON. G. MAIO MOHEY (CONTINUING): to the convention, if the Government sees the need for it.

Some of my good friends down in West Bay have tried to make political capital out of this and have been around telling people that I don't want them to eat the green turtle any more. We would like to have everything, but we will have to take what we can get. You have to decide what is more important and this is, while it bans the commercialization of turtle in some restricted forms, turtle can still be brought if caught within the 200 mile limit and there is also provision for special licensing.

There is only one other matter, Mr. President, that I would like to mention and that is the matter of swamp lands that were given in the Crown during the Cadastral survey. Members will recall that this is the third part of our platform and there are still too many to deal with it. We will have to examine this question and see what can be done if people do have good claim to these lands, they will have to be given back. There is no reason why this Government has to accept an act done by a previous Government if we feel the act should be reversed. So the subject is under consideration - I cannot tell Members what will happen to it, whether any of the land will go back or whether none of it will, but the subject is still much alive and if, as I hope, a paper should come to the House in future, I trust that members will give me the support that I have enjoyed from them in the last two years. And I must say that if it were not for the support of the Members of this House, support which has been given whole-heartedly I wouldn't be making this speech today.

AT 12.30 P.M. THE HOUSE WAS SUSPENDED

HOUSE RESUMED AT 2.40 P.M.

HON. CHARLES KIRKCONNELL: Mr. President, I would like to convey my sincere thanks to our Financial Secretary for the very able and professional manner in which he played the major role in bringing our country through an uncertain 1978 with a surplus and for presenting this Honourable House with a balanced budget for 1979, which is very worthy of the highest praise.

This achievement is rarely obtained in the big industrial countries today, much less a small country such as ours. While we have good reason to be jubilant and optimistic with the state of our economy, we must not forget that our success financially is influenced by world forces over which we have no control. It follows that we must, at all times, be alert and use our best efforts to keep our country financially solvent and politically stable.

It is hoped that in the not too distant future we will be able to establish a reputable ships' registry here. This task will be a long and hard one but with courage and determination we will succeed. It is my personal belief that the days of the ships flying flags of convenience are numbered and we should be ready to fill this gap. With the help and guidance of the British Government I am confident that we will be able to establish a registry of which we can all be justly proud and provide this country with revenue which will help us remain free of taxation.

The ship-to-ship transfer of oil at Cayman Brac and Little Cayman is increasing monthly. Capt. Van Der Lynde informed me yesterday that he had sent a contract to the Texas Oil Company of New York for their signature and his company, Cayman Energy, Limited would transfer their cargo of crude oil off Little Cayman and Cayman Brac from December, 1978. To have secured this large account from such a reputable company is no mean achievement and augurs well for the future development of Cayman Brac and Little Cayman.

He also informed me that all the drawings and specifications for the shore base terminal would be completed this week. He stated as well that Hermit Lunch had advised how that money for the project had been oversubscribed. A meeting with Government to discuss and approve his project will be the first week of January, 1979. It is therefore hoped that we will see an early start on the construction in the coming year.

The expansion of the Faith Hospital should commence as soon as a suitable plan has been approved by Government. As has been mentioned earlier, Cayman Energy, Limited has already paid to Government the sum of U.S.$100,000 to improve and upgrade the medical facilities and they will pay another $100,000 to Government on the 1st of April, 1979 in accordance with the provisions of the franchise.

I would also like to mention that Cayman Energy, Limited have also agreed to help us with establishing an airport at Little Cayman just as soon as the sight for the short installation has been selected.

In view of this normal provision in the Oil Franchise, it is hoped that by the end of 1979 we will have an approved airfield at Little Cayman.

Social Welfare - I wish to support the views of the First Elected Member of Cayman Brac and Little Cayman with regards to the small amount which Government is presently paying to some of the poor people there - the sum of $18 and $20 presently paid appear to buy very much today, and I would like to ask that this amount be increased to $30 per month.

Education. The country has made great strides in education over the past decade. The British Government generously contributed funds for this cause and we are indeed grateful to them.

HON. CHARLES KIRKCONNELL (CONTINUING): However the time is drawing near when this assistance will cease and we will have to carry this burden alone. There is still a great deal need for expansion and upgrading of our educational system and to keep pace with this need we are going to require more money. We have heard and the figures are before us to support this fact that it is now taking fifteen per cent of our 1978 budget to meet the cost. I would like to suggest that a first step to relieve this financial burden that we charge school fees for children who are not Caymanians. Our children going to schools in other countries have always had to pay for their school fees so I do not think that anyone should consider this unreasonable.

The establishment of the oil transport terminal at Little Cayman will make a demand on Government to provide educational facilities for the children of oil terminal personnel in the not to distant future. No provision has been made for this necessary expenditure in the franchise nor is it provided for in the 1979 Budget. We will have to meet this expenditure when the time comes. If school fees are charged for these children then the burden on Government will not be so great.

Domestic Fire Services.
The Government has accepted that it should establish a fire service and has included it in the 1979 Budget. We have been promised by four insurance companies and they have already indicated the amount which they are prepared to contribute. Of the ten companies that were written to the four just mentioned were the only ones to respond so far. We hope that the delay of the others is not a sign of a negative response but that they are still seeking approval from their respective head offices.

Roads. It was again necessary to reduce expenditure in this area. However, I feel that the amount provided we will be able to continue a program which will satisfy all Members and their respective constituencies. The unfinished road and the widening of other roads and upgrading at West Bay will be taken into account in the very near future.

The Civil Service salary.
It is with regret to learn that at a recent meeting held by the Civil Service Association that a certain faction rejected the ten per cent increase which is being offered. I feel that the demand of twenty-five per cent by the Civil Service Association is most unreasonable and an increase of ten per cent offered is fair and reasonable. Any increase in excess of the ten per cent would completely upset the entire economy of our Islandsand further trigger that dreaded international monster called inflation. I hope, Sir, that reason and common sense will prevail and that this problem will be resolved amicably and that unity in the Service will be restored.

Turning now, Sir, to Cayman Brac and Little CAyman. I have, Sir, done my utmost to represent the people of these Islands to the best of my ability and in particular, the people of Cayman Brac and Little Cayman. I was quite surprised to hear during the Debate on the motion of Cayman Airways a statement made by the other MLA for Cayman Brac and Little Cayman, that the people of those Islands do not feel that they are getting their fair share of the revenue. The Member and I have held regular public meetings together and I have on those occasions told my constituents and showed

HON. CHARLES KIRKCONNELL (CONTINUING): them that they were not only getting their fair share but a considerable sum in excess of what they are proportionally entitled. In 1978 the Lesser Islands received 26.2% of the total capital expenditure. For the year 1979 over 30.0% is provided under capital expenditure. I, too, Sir, shall not hesitate to take this matter to my people and I am sure that when they hear the facts and see the figures, they will be satisfied. I have received every co-operation from all Members of Government. I have not found anyone trying to deny the people of Cayman Brac and Little Cayman of one penny that is rightfully theirs.

The Port. The report contained in the Budget Address speaks for itself. It has filled a need and it is running smoothly. Since the opening of the facility various shipping companies have made Cayman a port of call. The stability, Sir, of our country is indeed a rare and precious commodity and no effort should be spared to preserve it. I too, support the views of my Honourable colleagues, who said that our job is to provide the opportunity for our people to be equal. The world owes every man a living but he must work to collect it. This Government believes in free enterprises founded on democratic principles. We intend, Sir, to maintain this course with the help of Almighty God.

Mr. President, I support the Appropriation 1979 Bill.

HON. JOHN B. McLEAN:

Mr. President, I too wish to compliment the Honourable Financial Secretary for what I consider a very comprehensive Budget Address.

As a very much concerned citizen, Mr. President, I am glad to see that our economy is in a prosperous situation. I do feel, Sir, that with the addition of the oil transfer this will continue to grow forward.

Mr. President, I have always thought that where organizations such as banks and trust companies are continually applying and trying to come in it, in itself, is reason to know that our economy is in a stable condition. I wish to say, Sir, that I am very pleased with the Secondary Mortgage Scheme which is being operated by Cayman National Bank and Trust Company as I do feel, Sir, for a new bank and a small bank, but reliable, it has contributed more to these Islands than the bigger banks. I do hope this can continue as it is very essential for our young people. As one Member mentioned, Sir, I too support the idea of Government Savings Bank going commercial. This again, I think will be very helpful for our people. Mr. President, while on banks, I wish to mention something that I think is very important to our people as I do feel in certain respects they are being pressured. That is, the International Bank and Trust Company. This to me, Mr. President, is long overdue and until quite recently I have been approached by people (sorry, Interbank). I have been approached by certain individuals and continually they are telling me that they are being pressured with their loans, when they think they have paid off a certain sum interest rates are raised and the figure becomes bigger. I think the time has come when Government should try in some way or the other to have something rectified.

MR. JOHN B. MCLEAN (CONTINUING):

Mr. President, Ships Registration. I must say this has improved considerably and I feel it is up to standard but I do feel, like with certain other improvements, instead of making thousands per year we could be making millions. This is a dream which I would like to see come true because I know once this happens we have no reason to worry of balancing our Budget.

Tourism has always been the key to our economy and again, I take the opportunity to congratulate the Member responsible for this Portfolio. I do feel he has worked very hard to promote tourism in these Islands and is still working hard. We must face it, Mr. President, quite recently with his input there has been a considerable rise in the tourist industry. I am especially proud of the new link with Houston, and as I have always heard, all things grow big in Houston, in Texas rather, and I do hope that we can eventually get some big monies over here.

Another important part played in our economy, is our sworn. I was quite proud to see the Honourable Member in his Address brought this in. Our women, Mr. President, have contributed to this country, to these Islands and they are still contributing. I have been approached by several and it was always on the question of visas. I have been told that everything is okay to travel from here to the United States, which I know on the whole provided here, but once they pass the United States and are trying to get back home they are faced with a problem. In most cases, as I understand it, they are more or less watched around and knowing my people, I think, as a fellow Caymanian, I feel this to them is a retrograde step. I feel, as I have said, they have contributed to these Islands and those in Government responsible for this, I think should make every effort to have some better arrangement in order that they will have an easier time to travel to and fro.

As I am sure it, Mr. President, the commissioners in these Islands are keeping a steady pace. I think that the doubt that has been in foreign investors minds has been wiped away by the new Government. I think we have proven to them that these West Indian Islands are very safe and from the pace of Condominiums and hotels I gather that the investors have become confident and are ready to move. Mr. President, from speaking to certain real estate agents, they too, in my way of thinking, are quite happy and again, this is a great contribution. In the exchange of property, Government immediately collects Stamp Duty. Again, I hope and trust this will continue at a steady pace and instead of $1.1 million, I hope in the year to come this could be much more.

The all important operation of Little Cayman. Mr. President, I feel the people of these Islands should be quite proud. I am glad to know that this Government had the foresight to go ahead with this operation. Besides the funds which are being brought in, this will create jobs for people which are needed and at the same time, Government is collecting revenue and in not spending money. I think this is very important and I know I have the confidence that this Government will work hand in hand with Cayman Energy to make this a success. I do agree, Mr. President, it is a chance to take, but this we will have to depend on God's help and guidance and hope for the future. However, Mr. President, I think the time has come when Government should satisfy themselves and to have a capable person to oversee the operations of this oil transfer. While we may be told that it is being carried out in a proper manner I think we have persons here on these Islands capable and know what should be done and I think it is only right to protect these Islands and our people to have somebody that knows to inspect and make sure that the proper job is being done.

MR. JOHN B. McLEAN (CONTINUING):

Local Industries. As I said, there is not that many, Mr. President, and I sometimes wonder if it is the importation of raw materials to these Islands or really what the problem is. I think again, Government should try to make every effort to investigate this and if possible, try to have duty-free raw materials as such in order that again we could create more jobs for our people and help our economy.

Mr. President, Immigration Department. I must say in certain respects I am not at all satisfied. We have been told for many months of the position re Deputy to the Chief Immigration Officer and until now, it is my understanding, it is still left open. Mr. President, in my way of thinking, there is no reason for this. Government has had as good as they will ever get working in that department, and as I understand it, the person is prepared to undertake the job again. Somebody who has really, in my way of thinking, put their heart and soul into this, did a very exceptional job and somebody that I think should really and truly be there now. Because sometimes I wonder if Immigration could really and truly give an account of all persons in these Islands.

Civil Service Training. Mr. President, I am one hundred per cent for it, but sometimes I really wonder if it is really proven when on the streets you see most nurses that have been on this training being given a rough time, trying to be pushed around, as has been mentioned by a Member yesterday. I really do not think. Sir, that when Government spends funds to help anybody, a fellow Caymanian or who, I think every effort should be made to encourage them and not to discourage them.

Health Services, Mr. President, When the Lady Member asked a question yesterday, I was very touched, because I remember just a few months ago, it was brought to my attention of a very well-known taxi driver from my District who quite recently died. He was taken to the Hospital and I was told that there was not one pillow that he could have to put under his head. This is nothing that I heard on the streets, I got it from the person who took him there and, Mr. President, this to me is not good enough for my people. I do hope and trust by what the Member said, this has been rectified, but I thought it only right, after the Lady Member asking the question that I should comment on it.

Other problems. It seems to me like in most cases this one, problems catch the devil, at the Hospital the doctors do, and in most cases as I understand it, certain nurses are to be blamed. Mr. President, on different occasions, I know of two private nurses in this country who have contributed to these Islands, who have done an excellent job at the Cayman Island Hospital, even when they were brought in on private cases. I have been there, I have seen their attitude towards patients that may or may not be very well with nothing to do with, but out of their kindness and generosity they work to help patients and it is my understanding, Mr. President, that they two have been given a real rough time in that hospital. I think this is a shame because in certain cases, as I have been told, nurses have been treating patients like they were animals. Quite recently, I have been told of a guy in there with high power and apparently, his wife spoke to some nurse about giving him a bath, she was abruptly told that if she wanted how bathed she could do it herself. This is not good enough, Mr. President, I do not disagree to paying of hospital fees, but our people should have what they are due.

Mr. President, I wish to mention a Member of Government, who I do consider is doing a very excellent job, newly employed. But in my way of seeing, Mr. President, this gentleman is working as a carpenter without tools. With your permission, Sir, I would like to mention his name to Mr. Alfred. He has been to my District, he has been around the Island and I must say when I have seen him put forward in my District in his short time. Again, I am asking Government to give

MR. JOHN B. MURRAY (CONTINUING): it a serious thought, I have already brought it to the attention of those in this Department that I feel can help and I do hope and trust that they will, because it is very important that Department operates to its fullest. I must say, it is a complete change from the way he succeeded.

I also would like to mention the garbage bills in this country, Mr. President. I have continually been approached by my people and by people from other parts of the Island, re: garbage bills. I agree, Mr. President, my facility offered to the public and is used by a certain individual, they should pay for it. But I cannot agree that names should be picked out of the blue and sent out to people and expect them to pay it. I have spoken to our Financial Secretary on different occasions and I am not saying that I did not have his co-operation. I am just saying that in future to save embarrassment I think Government should have a proper record from those receiving the garbage of who they pick up garbage from. I know of people that have been to me with this problem, the poor people are dependent on the public in a way. I am not saying that they are living outside or anything but there is no way that these poor people have ever and in some cases there is not even a truck road to their home. They have never used this facility and I think it is a disgrace to send people of this category a garbage bill. I for one, Mr. President, have and will support the people. If the facility has not been used, well they do not pay the bill.

Mr. President, the Genetics Program in this Island, as I can see each day is needed more and more. I think it is very important and I do hope and trust that Government will go hand in hand with the good people who have been trying to work towards having this corrected. I think, if we should take a look at it, if it is not corrected today it is going to be Government's problem in the end. So it pays to spend today and save tomorrow.

Poor relief, Mr. President. Again, I join other Members to say that the small fee which is being paid out to persons. I know, in my District, there are a few who receive this and I feel confident they appreciate it, but Mr. President, from the high cost in these days it is impossible for anybody to live on such a small amount. In some cases, Sir, I have been told of old people with children and they are expecting that Government should support their old people. Thus, I think, Mr. President, is a disgrace. Because I think it should be anybody's responsibility having their old people and expecting Government to look out for them. I think Government should be in steps in this direction and in cases like this ensure that they are looked after by their children. I feel that it is their duty and not Government's. It is all well and good to say somebody may have a piece of property to take care of them, but I do not think that it should be Government's responsibility. They have passed in most cases everything the old person had in life, so in the end I think they should take the bitter part too.

Children in approved schools in Dominica, Mr. President. It has been a sore eye to me. In the present state of that country it can mean only one thing, having children over there and bringing them back and turning them loose in our community. As sure as they are over there they will adopt habits and eventually come back home and share with others. I feel, Mr. President, now that Bonaventure House is in operation it means that Government spends more. I think we should have our children who are in Dominica back home and cared in Bonaventure House. I think in the end this will mean a lot to having a good and clean community.

Education Department, Mr. President. Again,

MR. JOHN H. MALDONADO(CONTINUING): I see fifteen per cent of our Budget is allotted for education. It is very good I suppose one hundred per cent, Mr. President, because in life I have found that it is hard enough to make it when you have something in your head and worse when you do not. However, Mr. President, I must say that I must join other Members in the idea that the time has come when Government should not be offering free education to foreign children in this country. I have found, Mr. President, in most cases, persons having children going to that high school are in much better positions, than most Belizeans, including myself, and much more I have to pay my child's fee. I see no reason and I feel certain that they are taking advantage of the situation and each one is aware of it. I am aware that these people brought into this country are making a certain contribution, but Mr. President, if they had been brought into some other country they intended to work, they would still be contributing to that country and at the same time they would be paying their children fees. I do not think there is another place that would offer this advantage.

Agriculture, Mr. President. I have continually heard people say that agriculture in these Islands cannot be profitable, cannot be done and I think this is very silly. Many years ago our forefathers depended on the sea for fish and land for crops and they survived, and it is no doubt in my mind, Mr. President, that agriculture can be done in these Islands as it has been done. I think, after visiting certain farms on this Island, namely, Bathwell, Mr. Reilly's and Northmound Farms, I think there is proof enough that this can be done. It is no reason that this should not be encouraged because I do feel, Sir, if it is done and done properly this Island can only benefit from it.

I must mention, Mr. President, that item in the Budget Address is one item that I disagree with. Mr. Reilly's farm in Northside is left out. I do not think it was right. We must face facts, be man the first to say and make it possible in these Islands. Continually we may hear what is done at Mr. Bathwell's farm where it is just him and another guy nobody stops to think that he has the help of a backhoe which is equal to many men. After visiting Mr. Reilly's farm I found that what is done there is mostly done there is mostly done by himself and a machete and a hoe. Now, Sir, he has proven, because his crops in comparison, he does not have an irrigation scheme as yet, and his crops look just as good. So I do feel, when this was put in there that his name should have been mentioned because he should be encouraged as he has tried and in my way of thinking he tried the hard way.

Mosquito Research, Mr. President. I am quite proud of the good work which has been done in these Islands. I too, would not like to have to pass through the days when I can remember as a young boy when a smoke fire had to be put around the house continually and like a Member mentioned, it was almost impossible to stay outside. I remember, at one time it caused the loss of millions in these Islands and most important, Mr. Speaker, our tourist industry. I do not think anybody would bring a plane and come to an Island where they would be bit often by mosquitoes. I also made a note of what was mentioned about the backhoe for that Department and Mr. President, I too, cannot agree that we should buy another backhoe if what has been said is true. That presently there are two which have been idle just about all year and I know for certain of what was mentioned concerning the one sold. I for one, Mr. President, do not know that much about heavy equipment, but I do feel that the life of a backhoe should be longer than what was said. I see no reason why it cannot withstand longer than was stated and I think the Public Works Department of these Islands has proven that. For many years they have been using bulldozers and while I know they continually have to replace parts and I can appreciate

Mr. JOHN S. McLEAN (1st Elected): what the Member for this Portfolio has said about it, but I certainly think that a second thought should be given and if possible, to repair the present brickwork we should do so.

Mr. President, I am quite happy and proud of the improvements of our airline terminal. I think that is the first thing anyone coming to these Islands must see and I feel it was a very wise move for the building to be painted, remodelled and looking at it now Mr. President, I feel that what has been spent there are no regrets. I do feel there is a lot more that can be done and I know with the guidance of the able Member he will endeavour to have it done. I am also proud, Mr. President, of our plans. I do feel it is doing an excellent job and as I said yesterday, I support the idea of a second plane and I passed on my views.

Mr. President, there is one thing which I would like to mention at the moment and that is Taxi Association. I think those who are responsible should take a look at the Port. Days when tourist ships are in there and Thursday's why that taxi-cab drivers find it interesting it is good to walk down there and see the smooth operation that goes on now a days. I do feel that Government, or I should say the Member should think in this direction and I do feel that will not only speed up things at the airport but it will keep a lot of people together and the continual quarreling among themselves, to me, Mr. President, is a retrograde step to be done in front of incoming passengers. I have seen it so many times and I think I have had as many complaints as anyone else concerning it and as I have said, the first has proven itself, why not try it at the Airport.

Mr. President, training School for Tourism and Industry. I do feel that was highly necessary. I support it one hundred per cent, as I do feel that persons coming into this country, these tourists are paying a plane ticket, paying hotel fees, I feel that they should be treated to the best and I think this is a very wise move to train our people properly. That it will be no disgrace to this Government and its people.

Mr. President, as Members will remember, I was quite influential when I first came to this Honourable House to have the tax on motorcars levied on importation duty and I am more proud today to know that it was possible for this Government to go even further and to me in a better direction, when we were able to remove tax or duty from certain items such as food stuffs. Mr. President, everybody must eat to live and I only wish that I could see the day when Government will be in a position to remove tax from all food stuffs coming into these Islands.

Mr. President, we are now faced with what I consider something that we can all be proud of, surplus cash flow. I would like to say that I do hope that we will consider rainy days and instead of just, I should say knowing it idle, we should put some aside for days when it may be more necessary than it is at present.

Coming to Civil Service salary, Mr. President, I feel that anybody working, regardless whom, should at sometime have an adjustment in salary but on the otherhand, Sir, President, I also feel that they should be realistic, they should look at it from both sides. I think the problem in Cayman today, people are taking Government as a separate body, they are not stopping to think that they are a part of Government and as I said it in order to bring about what has been asked for nothing else is being done but crushing themselves because they are a part of the Government and it is for the Government to provide the funds. Mr. President, without fear or favour, I say, Civil Servants in the bracket of $200 I feel should be given a raise. Those already receiving adjustments I think should also be satisfied and the way I look at it, Sir, we put forward-no they did what they wanted, we put forward what we give and if it is not acceptable

MR. JOHN B. MCLEAN(CORRECTION): It should balance our Budget much better.

Mr. President, again I say, I have been quite glad to debate another Budget Address and in my humble opinion I would say the following, "With God in His heaven, the Constitution of the Cayman Islands and the provisions of Native Wisdom we will survive."

Mr. Arneton Smith:

Mr. President, I must like other Members, compliment and congratulate the Honourable Financial Secretary for his clear presentation of the financial position of these Islands and of the confidence he has in this Government. I realize, Mr. President, it has taken a great deal of work and I am quite sure it has taken much of his time to outline to this Honourable House all that has happened in the year 1978 coming to an end and what he is looking forward to in the year 1979. The very able manner in which he put together and presented this budget entailed a lot of time and concentration, sacrifice and hard work to put everything in its right perspective, to meet the approval of this Honourable HOUSE and what will be a success in the year ahead.

Mr. President, for an annual, comprehensive policy to be put together, it takes considerable foreseeability in ensuring it so it can stand the tempest of the year ahead. We as Legislators are only human beings, just like everyone else. We all make mistakes, none of us are infallible, less it be our duty. Mr. President, to correct our mistakes when they are made. In any democracy any majority rules and in that majority they should know what is good and what is bad for them. Today, Mr. President, I want to pledge my wholehearted support to anything that is good for these Islands and their people.

The Honourable Financial Secretary rightly pointed out in his able Address the outlook for 1979 is good. But we must take a clear look in the offsite of these Islands. We must protect our employees, our local people or unrest could very well be created. Now, Mr. President, it is very encouraging to hear of such a large number of bank applying for new licenses to conduct offshore business and it is estimated that the end of the year will show an increase in bank and trust company licenses over the previous years, making a total of 340. This can be attributed to having a stable Government and the friendliness of our people. Mr. President, confidence is an important asset and we as Legislators must preserve this asset for the years to come.

Mr. President, there is a substantial increase in the construction field. This is mainly due because the Members of this Honourable House had the foresight to do away with what is commonly known as the Destruction Plan and replaced it with a plan suitable to the people and investors alike.

I am also happy to hear that Government has now made a positive approach to the British Government requesting guidance and assistance for the establishment of a comprehensive Ships Registry in the Cayman Islands. This would mean much to these Islands as it is widely said, that other countries, such as Liberia, and Panama are now enjoying millions of dollars a year of Ships Registration. I feel, Sir, that if a comprehensive Ships Registration was established here in these Islands could enjoy a full share of this money.

The side to ship oil transfer at Little Cayman is on the upswing and by all indications will continue to improve in the year 1979. At this time I wish for the people of Cayman Brac and Little Cayman prosperity and many blessings.

MR. CARLTON SMITH (CONTINUING):

The examination results of the Cayman Islands High School has been the best ever. This is a major step and worthy well for the staff and improvements introduced by the Member for Education and Health.

Mr. President, one of the best announcements made by the Honourable Financial Secretary was that no new taxes are proposed for the year 1979 and that import duty will be removed from certain items of food stuffs. This, I know will be greatly appreciated by the people of these Islands.

In the estimates I see a figure of $33,000 under Poor Relief Assistance. I for one do not want to see this place a welfare state, but I do feel Sir, that this vote could be much more. One only has to move around, especially in my constituency to really know how many people there is who have no means of support at all. One may raise the argument that most of these people, they have family, they have children, they have brothers, they have sisters that could take care of them, but, Mr. President, this does not fill the need. The point I am trying to make, Sir, is, that if we as Legislators cannot provide money for the aged people we should pass Legislation where on those people responsible will be made to take care of their own folks.

Mr. President, in regards to Tourism, we have had a booming year, but I would again stress that our facilities are stretched to the limit with some hotels having full occupancy. We are hoping that with this occupancy investors will come forward with firm building proposals so that we do not get further congested. I want to join with the Member from East End in congratulating the Member responsible for Tourism in the achievements to date made.

Now, Mr. President, I will be a little more critical on a few points I would like to make and I ask you, Sir, to bear with me a few minutes if I become a little rude. While I agree, Mr. President, that there are improvements at the Hospital I cannot agree that all is well. I have had numerous complaints about the treatment at the Hospital. On one occasion I happened to carry a man who had fallen from the roof of a building, could have had anything broken in any part of him and he was told by the nurse: now, Mr. President, this is an emergency case, or I would consider it an emergency case and he was told by the nurse that he had to get in line and wait his turn. Now, Mr. President, this is ridiculous, and I say here right to you today, Sir, that this is not good enough for our Caymanian people. I have said repeatedly here in this Chamber, time after time and asked for a doctor to be placed at that compound at all times and nothing has been done about it. Mr. President, Caymanians are not rich as far as money is concerned but they are rich in pride and I am saying here today, Mr. President, that Caymanians are not used to this kind of life and that if we have people in that hospital that want to carry on that kind of treatment we should send them back empty where they come from, then they can carry it on all that they want. This evening I want to appeal to every Member of this Honourable House to stand up and let us weed out the people in that Hospital that should not be there.

Mr. President, my colleague from West Bay mentioned the play field in West Bay. This is another sore eye. For our three years, ever since we have been elected, Mr. President, we have been trying to get that field in a condition so the kids could be able to play on it and time and time again money have been wasted on that field and I should say right now that it is worse than it was when Public Works began to work on it. I already said to the two Members involved, Mr. President, and I want to say here in public here with nothing that I personally would not vote one penny for work done on that field by Public Works. I realise that the field needs to be fixed but there are other avenues that we can turn to once the money is provided. I think it is quite time, Mr. President, that a stop be put to tax payers money being wasted. Long before I got into this House, Mr. President, this has been my argument, but it just seems it just

MR. CARSTON SMITH (CONTINUING): cannot get it accross. Money is being wasted so much that it is just ridiculous.

Now, Mr. President, yesterday the Second Elected Member from Georgetown. While I agree with most of the comments he made, I do not agree with the statement he made concerning the Liquor Licensing Board. I happen to be a Member of that Board and Mr. President, we operate according to the law. I would just say to the Member, that he if he expects any dif-ferent then that he would have to bring a motion here and / the Law amended. This case in particular that he spoke about, we did not take this decision on our own, we always do this and I think other Members here can bare me out on this. We always seek our legal advice before we come to a decision. We are only laymen on the Board and Mr. President, we would not want to do anything out of line so this is why we seek legal advice on different matters. Again, if the Member cares to have the Law changed he can happily have my seat.

Mr. President, I could go on for much longer but I will have much more to say at Committee stage so, in conclusion, I would like to endorse the remark of my colleague here on the left that we hope that you and your family may be honoured to remain with us for many years to come. I thank you, Sir.

MRS. ESTHER FRANKS:

Mr. President, at this time, I too would join in congratulating the Honourable Financial Secretary for his comprehen-sive Budget Address. I feel that it has given the people on the outside a true picture of what is going on in our country and will help them to understand more clearly what is really happening, and I feel, Sir, coming from the Financial Secretary some of them will even believe much more probably than if they were told it from the politicians.

First of all, I would like to say that I am very happy to see that money has been put in the Estimates for the Juvenile Study as, Sir, in West Bay we are faced with that problem, I guess more so than in any other District. So, this made me happy to see that Government has placed money in the Budget for that program to continue.

I was also happy to see that money has been placed there or a certain amount of money has been placed there for the Old Peoples Home and I hope, Sir, that with the help of other organizations that we will be able to establish an Old Peoples Home as it is very necessary. As the continuing failure of people to do for the old folks and old people perishing it continues gradually and it makes one very distressed. While I agree with what has been said about the country giving too much in welfare we must seriously think that these old people or when they are disabled and cannot do for themselves. I have mentioned quite recently certain ones in West Bay who, they cannot do for themselves and do not have children to do for them. In many cases they have a few sons, many of them too poor themselves, to help, while others drink and do not even worry about themselves. In this case, what are we going to do, but give these people something and help them even though our help is very little. I feel, Sir, that we must, at this time, introduce a Law to make it more strong that those people who can afford to give their young people will uphold them; but in the meantime they should not suffer if they do not have someone to do for them. Government should have that responsibility because at some time that person might have been a benefit to this country.

I would like to ask a question, or make a statement. One of my principal viewed was television. When we were first elected to this House something was put out on it and I have heard no more about what is happening about television coming to our shores. I would like to see the television come to our shores for more reasons than one because we

MRS. ESTHER RAMKISSOON:CONTINUING: ...to have a problem with our youth and it is my belief that television will help to eliminate this problem. However, even with the video cassette types type television that is now used people have told me that they have them now in their homes, their children have become so interested that they do not have the problem of them riding on bikes or being out of the house, they are always there to see that program and it helps to keep them in. I feel that our young people would have special programs they would become interested in and we would be able to keep them in much better if we had television.

Now, I will talk about Immigration for awhile. I feel that the Immigration Department in our country is not doing a very good job. There are people in our country,and I am not talking about what I have heard on the streets, I am talking, Sir, about what I know. There are people in our country who hold a work permit to work for one person and they are holding two jobs and as far as I can remember, the Law states that if you hold a permit for one person you should work for that person. This is not happening and when I speak on this, I have gone to Immigration Officers, I have told them about certain people and those people continue to work with two jobs and nothing is being done about it. Some, Sir, even one particular case that I know about is a woman that holds a work permit, her daughter left school, her daughter is now working without a work permit. I told the Immigration Officer,nothing is being done. Why I speak on this is because we have Guyanese who are without jobs, who have gone to some of these same places and asked for a job and are told that there are no vacancies. If, this person had been holding just one job that they were holding the permit for and not two jobs it would give our Guyanese a place more to get work. I feel that this should seriously be looked into and anyone caught doing it should be dealt with according to the Law.

I must congratulate all the Members of Executive Council for a very good job. I think and I must say this, especially the Fourth Member of Executive Council. He has worked very hard and has made great success in his Portfolio. The other Members have worked very hard , maybe we do not see as much out of what they are doing as we would have seen out of the Fourth Elected Member. But at this time I congratulate all of them and even though I might criticise their Departments a bit I hope to still be constructive criticism and help to solve the problems now existing in their Departments.

Mention has been made of people going to the Hospital and the way they are treated. I join with this, Sir. It has come to my notice from one of the members of my Constituency that went to the Hospital with a serious back problem, that they went and had their for almost one hour. The nurse came around and said, "Well I am going to give you two aspirin." She said,"Can I see a Doctor?" The answer was really that the doctor on call could not be located at that moment and that she would have to be there until they could get one. Now, this is not, like I said before, not good enough. I feel that even if the Government at this time cannot afford to have a doctor there all the time, the doctor on call should be where he can be reached at all times and should not, like other cases they have given instructions to give them something and this has been done over the telephone. Doctors on call must go and see his patient because in many cases a person can tell you over a telephone or a nurse can tell you and perhaps nurse she is more professionally able probably to tell him what she thinks it is but the doctor is really the one to really have until the problem is and know what type of medication needs to be administered. I would urge the Member responsible because this is causing much unrest / people are not satisfied with this. They want to see a doctor especially when they go there at night in emergency cases the doctor should see them and I would urge him that he give instructions that this be done. that the doctor turns up when it is necessary. While I will say that I agree with the doctors and nurses at times when reports come to us that people themselves are not as pleasant as they should be when visiting the hospital because it is a two way thing. People must show a certain amount of respect to gain the respect that they expect and a lot of

MRS. ESTHER BRAITHWAITE(CONTINUING): Some these nurses have to go through a lot. Because I have sat by and watched alot of patients say terrible things to the nurse and what is she requested to do. We are only human and at some time that nurse is going to have to fall for herself too. So while we want good treatment for our people we must also encourage our people to show respect to people in these positions. The public must remember that there are times when they arrive at that hospital that nurse has served the public all day. She is tired, she is getting weary and a person is more touchy when they are in this position. So I urge the public to show the respect to anyone in senior positions and they will get it back.

It made me quite glad to see in the Budget Address that the Financial Secretary spoke on the Development Plan and spoke that investors had more confidence. As the Members of this House will be quite aware that I was one of the persons who mentioned and one of the issues was the Development Plan. I have talked to many people throughout the Island and they all realise that our problem layed with the proposed Development Plan. That they knew this was causing the problem and slowing down our economy. Now that the Development Plan has been passed, or the new one has been passed, there is no doubt in the minds of the people that this was one of the things causing the problem. Much thanks too, must go to the Members of this House for taking a serious look at the Oil Terminal. One we realised if we had not gotten the Oil Agreement and the Development Plan changed, what would our economy look like at this moment. Because they have helped to solve alot of problems or the finances from these areas.

Mr. President, about the increase for Civil Servants. There is a little unrest, or a little saying that says, the people to fear are not those that disagree with you but those who disagree with you and are too cowardly to let you know. Now, I am going to voice my opinion on this. I feel that Civil Servants need a raise and I agree with the ten per cent increase at this time, while I agree that it should be reviewed if we find ourselves in a financial position to review this at the beginning of every year. But I feel, Sir, that the ones who need the increase most is the lower income bracket. But if the ten per cent must be given straight across the board, then give a ten percent. But at this time I feel that we would not be doing the right thing to give a twenty-five per cent increase. It may only cause hardship and, Sir, the thing that bothers me, is when our Budget goes into problems it is never the Civil Servants that get the blame but the politicians. Much has been said and I have been very upset about statements made by Civil Servants, some Civil Servants, and rumours that have been spread that the Civil Servants are blaming the politicians and that it had been spoken to the politicians that a thirty per cent would be what should be given to the Civil Servants and that the politicians in reply had said no, give them five. I am not aware of anything like this and I feel, Sir, that if, these type of things go on and the Civil Servants try to put into the minds of the lower income bracket or lower paid Civil Servants that politicians are try to do these things this should be stopped. Remarks at a certain meeting we heard on the street, a remark by a very high Civil Servant who that you will never have it any better as long as the dictators remain in this House. I want to make it absolutely clear here this morning that no Civil Servant, whether they like or dislike us can remove us , it is the people to do that and that must be done in 1980. We will remain here until 1980, when the people will make the decision if they think we have been dictators during our time in this House. So, Civil Servants need not to try anything or talk about anything if they have done it, because they can do absolutely nothing with the politicians until 1980. While, Sir, I want to make the Civil Servants know, that we represent them whether they like us or not, it is our duty to listen to their grievances, it is our duty to represent them as we represent those outside of the Civil Service and it is the intention of everyone in this House to do just that.

I feel, Sir, that there are problems in our country, there still remains to be problems and as long as time remains, problems will remain. Just recently, or since we were elected, a problem came up about Police Records. Again, politicians got the blame. When I enquired about this and asked why was all the misdemeanors or small offences whatever we want to call them entered on Police Records. Why was this

MRS. ESTHER EBANKS[CONTINUING]: happening all of a sudden. I was told that this was an instruction given by the United States Embassy. That they wanted this done. But, Sir, that was not what was being told to the man on the street. The man on the street was being told that your politicians have caused you this, blame them by the Civil Servants or this is what these people said. Now, we do not know whether these people are telling the truth in all honesty, but we hear that. So the politician only has one way to voice his opinion and tell the people it is not true and that is in this Chamber on the Public Meeting.

PRESIDENT: I will have to interrupt the Lady Member in about five minutes.

MRS. ESTHER EBANKS: Okay, Sir. I was upset at about the outcry.

I realise that the First Official Member said that we should try to stay off of Civil Servants and I have done so. I have never called names in this Chamber and it is not my intention to do it because I realise it is not right. But, if the Civil Servants ask for a raise and ask politicians to find this money when things are going wrong we must voice our opinion because I tell you, the only way to make me feel free is when I have had it all off of my chest. So with these few remarks, Mr. President, I would like to see Civil Servants from their responsibility. If something is their fault, they take it and in return if we as politicians do something that is not right we should be men and women enough to face our responsibilities and tell the people, yes, we did it. So I thank you, Sir.

HON. J.H.FOSTER: Mr. President, I would like to move the adjournment of this House until ten o'clock Monday morning, Sir.

QUESTION PUT: AGREED. HOUSE ADJOURNED AT 7:40p.m. UNTIL TEN O'CLOCK MONDAY MORNING.

HON. JAMES M. BODDEN (CONTINUING): ...rules in 1970. But it is hoped that with a reassessment being made of the Civil Service that in many areas these people can be shifted aside here from other unproductive areas and be put into the position which will be opening with New Services.

In the Budget we have asked for a hundred and fifty-four thousand dollars for capital expenditure and forty-two thousand dollars recurrent cost to introduce a domestic fire service. This is just the beginning, but for years there has been a need and many people have put forward their views in this respect. We have been told by certain groups that they are willing to help destroy part of the capital cost. We are protesting that their donations in that respect will amount to seventy-five thousand dollars, we are hopeful they will even be generous enough to amount to more than that; but they see the need for it, it will help them also because most of these are in the insurance business, and we are very grateful to them for the assistance which they have offered to make, and shortly there should be in operation the domestic fire service. I don't need to point out to this House the need for this, at the present time we are blessed that we do not have any real high buildings in George Town, but even so, we do have several four storey buildings and in the event of a fire it could be a very serious thing not having adequate fire protection. So, God's willing in the near future it is hoped that this will become a reality.

Mr. President, I am prepared to wait until tomorrow morning to wind up, Sir.

MR. PRESIDENT: If the Honourable Member can complete in five minutes, then we can carry on.

HON. JAMES M. BODDEN: No, Sir. I could not.

MR. PRESIDENT: Well, we can take the interruption at this stage.

ADJOURNMENT

MOVED BY: HON. D. KIRKCONNER

QUESTION PUT: AGREED. THE HOUSE ADJOURNED AT 4:30 P.M. UNTIL TUESDAY MORNING THE 21ST OF NOVEMBER, 1978.

HON. JAMES M. MILLER (CONTINUED): efforts in constructing the expenditures there as he has in all of the Departments he is responsible for.

In 1976 there was a plan to build a new terminal at Owen Roberts Airport, but a new terminal project would have cost between six and seven million dollars, an expenditure that this country could ill-afford to service at this time, particularly in 1976. We decided as a group that we would expend only a small amount and renovate the existing terminal as a short term approach. And as you are aware in the Budget there is an additional amount to complete the renovation and to air-condition the arrival section, this is very important because we have been getting a lot of complaints on that side.

The fire department maintained its high standard and is now housed in their new quarters of which the members there are very proud. In the past year we purchased additional lands around the airport perimeter, and depending on what happens in the Civil Aviation field it may become necessary in 1978 to lengthen the runway at Owen Roberts Airport another thousand feet. But this will be carefully studied before it is undertaken. I only voice it at this time so that you may be well aware of it that the burden may fall a little bit heavier on the shoulders of the people.

In the next few months we plan to install an excellent navigational instrument which will aid aircraft in their area, this will be installed at Owen Roberts Airport and be known as a VORTAC. It is an expensive piece of equipment, but very necessary, particularly in some of the cloudy days that we have here. Admittedly, it may pay for itself, but other than that it does give us the distinction of being one of the few airports in the Caribbean that is so equipped.

We hoped this past year that we would have seen the extension completed to the Cayman Brac Airport, but we hope that in the not too distance future it will be completed, and that the new generator and new navigational aids now on order will be installed.

Cayman Airways continues to prosper, and shortly all aspects of the operation will be under our own control. Cayman Airways' policy is, that all employees must produce a good day's work for a good day's pay for the benefit of the country and for the benefit of the company; and there will be no victimisation for policy employed as long as I have anything to do with it. So, as long as this policy is adhered to, as we have no retirement benefits at this time to offer the employees, a person may stay as long as they wish, even up to the age of Methuselah. The last operating report for Cayman Airways was for the figures ending November the 15th, which was for the last previous six days of operations. The load factor as shown in those reports for those six days, on all routes averaged ninety-seven point two six percent. So, even though we are in the period that is traditionally known as the short months we are still experiencing a very good load factor.

The year 1976 has been a fairly successful year for the Tourism and Industry Training School, with nearly four hundred people having completed courses since its inception. In the coming year we hope that we will be able to broaden the activity of this training centre. It is very vital that this be done, but there are in many other areas, Mr. President, we need a guiding light, we need work.

All Members of this Legislature, Mr. President, are well aware of the growing burden that is placed on a family in the rearing of youngsters. We all realize that it is difficult to survive in many instances, so in an effort to lessen the burden this Legislature has decided that import duty will be removed from rice, salt beef and evaporated milk. It is very important to stress at this point, that after the present stocks/inventories on hand by the business places that this savings be passed on to the consumer. We are very hopeful, and we believe that we will get the support of all the people involved here, and that it will not happen as happened in the past that customs duties were removed and then the item increased in price; instead of that happening, we are very hopeful that everyone will co-operate to see that there is a decrease.

This expenditure as projected in the Budget is twenty-four point five percent over expenditures for 1976, and revenue is projected at seventeen million four hundred and thirty-nine thousand eight hundred and forty-four dollars. In the budget that has been prepared there is an area known as New Services, and this will mean the addition of some staff to the Civil Service

HON. JAMES M. BODDEN: (CONTINUING)

We have placed in the Budget this year a very small vote in regards to a senior citizens' home. This shows that Government is well aware of this problem, and again, a problem which it appears at sometime Government will have a shoulder; as I mentioned awhile ago in regards to the caring of the old folks. This shows that we are willing to step forward, but it is done as a challenge; the people at large in the community who could help have been saying for years that this is necessary. Well, now is their opportunity to prove that it is necessary, let us do in Grand Cayman similar to what was done in Cayman Brac; Government is going to provide the guidance, and Government will provide the push to get this moving off centre. But for God's sake, I throw an appeal to this different clubs and the people at large in this Island. Now that we have taken the move, let us help make this a reality, and I'm not talking about a reality like what I saw in the paper sometime ago, where a projection was made that it would cost four hundred dollars a month per person. If a person has four hundred per month to live off of, he's not going to go into a senior citizens' home, he will stay in his own home; so we have to get something that is more realistic.

Education continues to take the prime interest of the Members of this House, and we are all dedicated together to creating the best system in the Caribbean. We must all join together in complimenting the Member in charge for letting the public join in on the reorganization, and on the programme which he has outlined and put before this House. In my opinion it is a well thought out policy that he has formulated, and it should have the support of all the people in this country. We are very proud that for the past year we have had and been able to assess many scholarships for higher education. What is encouraging about it more than anything else, is that most of these or some of these have been given by the local private sector; this is something that has not happened too much in the past. This is why I feel, that if we have accomplished nothing else, even forgetting the economic part of it, that we have been able to accomplish one thing, and that is to begin to instill in our people national pride, and the fact that people can live together and share one common cause.

The Member for Agriculture has provided his department with much needed legislation, but that legislation is no good unless he has the support of all of us as Members and has the support of the public at large to assist in the monitoring of the different laws and Regulations which have been enacted. I am very pleased that investigations are now being made by his department to obtain financing for a local fishery scheme. This again was a part of the manifesto as some people will find it which was projected into the 1976 election. I am sure that all Members of this House are very pleased to learn that the apparent threat of closure to Cayman Turtle Farm is less ominous now than what it was some months ago. This establishment has for years, and hopefully will continue for many, many more years to play a vital part in our economy. It is as important to our economy as General Motors is to the United States of America. If General Motors were to close all of their plants throughout the United States, I doubt that on a percentage basis there would be more people unemployed than what it would be if Cayman Turtle Farm was to close down in this Country.

There is a continuing need to supply suitable water, and this, again, is becoming a crucial matter in regards to the developments of the future; that is why we must support wholeheartedly the suggestion that has come forward from the Member responsible for Communications, Works and Local Administration to conduct a study of the fresh water lenses this coming year. Experimental farms and district clinics administered by the Agriculture Department were a part of our election pledge, and I am sure that in the near future the Member responsible will be presenting plans for further implementation of these ideas.

Today, one of the most important contributors to our local economy and progress is the Mosquito Research Department. They are owed a vote of thanks by each and every person resident in this country; they have done a good job, and I am hopeful that this will continue into the future.

The George Town Port is an important asset to the continuing growth of this country, and I am very pleased to know that it has been able to service its debt structure and defray all of its operating costs; this speaks well for it, and the Honourable Member in charge has spent a lot of

HON. JAMES H. JOHNSON: (CONTINUED).

The training of the Civil Servants should continue at accelerated pace. But in my opinion the most important point to be learned is dedication to service, and the pride of doing a job well. We can train and train and train, but if people are not inclined to work and do not have the pride of accomplishment in them, then we may as well save that money and never train them. I believe in paying but few exhibitions. I would like at this time to pay tribute to the Attorney General for the able and capable leadership which he has given to his Department, and the assistance that he has been to the Members of this House in any areas where we needed help. It is so refreshing to have this available to us. I, happily remembered what we went through in the old Legislature of 1972 to 1976 with the man whom he succeeded. Wherever he is today, I wish him well.

Mr. President, it takes time to do most anything, and I would like to remind the Legislature as well as the people of this country that the Health Services cannot be revamped overnight. There are many problems to be faced in respect to this, and we must remember that when we are ill or some loved one in the family is ill that there is usually a lot of worry and frustration, and the normal reaction of any human being at that point is to strike out at the thing nearest to you. So, at that point the nearest thing to strike out at is a complaint against the medical facilities. All of the facilities in the medical services are receiving attention, and much has been accomplished. We are very blessed in this country to have the modern facilities and the equipment that we do, particularly when we consider that better than eighty percent of the medical expenditures are subsidized from general revenue. That, again, points out to our people how lucky we are to live in such a small country with such few resources, and to be able to provide the type of medical facilities that are now provided. And it is on such a very small cost, that is, small cost to the person taking the advantage of it, not to the Government, because medical expenditures have been rapidly increasing in the past few years and the return has been very minimal.

In my opinion the distribution of poor relief must be properly studied and a survey made to determine the amount needed to sustain a needy person in an adequate manner. But, once that is done and that person is put on the poor relief role, it is my opinion that at the time of death whatever that person leaves should go to Government, and I am hoping that a policy of that nature will shortly come to this House. That is why I opened my remarks by saying that I think this should properly be studied, because I would not want to know that the Government in one sense was benefitting at the expense of people who the grim reaper has called to their reward, but I would like to know that whatever they have does not go to people through inheritance who have not shouldered their rightful burden. It is regrettable that in many cases today that people in our country do not shoulder their responsibilities in regards to the older folks. Our forebearers looked on this as a God given gift, something that they were very proud to do. But I put it to you today that God help us if we have to depend in the future on what our people in the past depended on, many of us would go wanting.

I am hopeful that in the next year we can take a further step forward, and that is in regards to approved local schools. Thanks to the Rotary Club, we have been able to take a bold step in regards to the Convalescent Home, that was a tremendous gift to Government and I am hopeful that some of the other organizations will see fit to help provide something along the same lines in regards to the approved schools for the family risk who may get in trouble.

The National Council of Social Services has been something which I have supported in regards to the ideal and the concept, but it worries me to see that the major expenditures of that Department have to be met year by year from the general revenue. I believe that if they were to institute a programme, something along the lines of the United Way programme in the United States, that with the amount of local participation that we know we would get and the support that I feel we would get from the tourists who visit here and who are used to this type of raising of funds, that we would be able to make that Department self-sufficient.

HON. JAMES M. RUTTY (CONTINUED):

To review, our 1978 Budget was presented showing an accumulated deficit for the two previous years of nine hundred and fifty two thousand five hundred and sixty-nine dollars. This year 1979 we have been able to erase this deficit, we have introduced no new taxes, we have increased no existing tax, and we have lowered taxes in some areas, other areas we have taken them off completely. Yet for the beginning of 1979 God's willing we will be going forward with a cash surplus of six hundred and twenty-seven thousand two hundred and sixty-eight dollars, and a projected surplus at the end of 1979 of over one hundred thousand dollars. This, ladies and gentlemen, is something in my opinion that we can be totally proud of, because we have maintained a very strong situation, and think that once more the country is enjoying a good economic condition.

In 1978 we were able to place towards capital expenditure from general revenue one million eight hundred and eighty-seven thousand seven hundred and ninety-four dollars. In 1979 we are projecting a budget nearly twenty million dollars C.I. without any increased taxes. I wonder what new countries of the world would just like today if they could get up in their Legislative Chambers and boast of such an accomplishment? The country has had a difficult time obtaining development loan funds, which was budgeted last year which was budgeted this year, this is because in some areas of these British miles. Some of these projects that were earmarked to be assisted by these funds have had to be financed from local general revenue, and some have had to be deferred. In my opinion, this coming year we have embarked on a legislature we take a great step forward by designating money for a prison system, but we must remember that with the new prison system we must consider rehabilitation programmes in an attempt to bring these people back into the main stream of life as civilized and active people.

Our development aid from Britain is fast coming to an end, and we should attempt at once our possible to obtain the permission of the British Government to ease the restraints which have been imposed upon us in regard to the obtaining of low interest rate loans from other agencies. This has helped the country tremendously, although it has not been that much, and we are proud that we have not had to lean on them; but it does help the economy of a country, particularly one as small as ours if we can obtain long term money at a very moderate rate of interest. This money is available through many sources, but we cannot obtain it unless we can get the permission of the British Government first, and I think that they should relax all of the restrictions in that respect so that we can take advantage of these many loans.

The Immigration Department is the gate way to a country, and we must continue to monitor our policies and operate this Department with the supply of trained personnel. We fully realize that we are dependent on outside agencies, and that it is necessary to grant work permits, but we must make every effort to ensure that our people can find jobs, especially in the entrance grades of the employment sector. But, by us doing this, our people must fully realize their responsibility to the work ethic: they must work, they must put out efforts for the money that they receive. We, as Legislative Members have sought the support of some of the local institutions in helping us to train our people, but in most cases the attitude has been one of complete disinterest. A few areas of the Private Sector have assisted, but by and large the areas that could and should have assisted have not done so; it appears at this point that Government is going to have to bear the majority of this burden unless we can make a change in this in the coming year.

Radio Cayman is an important asset to the people of this country, but at this point I would like to say that every effort in my opinion should be made to see that it operates like a business and becomes financially self-sufficient. I see no reason why this is not possible in an economy that is as buoyant as this. In my opinion, not having to service a debt structure in regards to the building, the machinery and so forth, there is no reason that this should have to be subsidised by roughly forty percent of its recurrent expenditure.

HON. JAMES M. BODDEN (CONTINUING): believe in bringing it to this Legislature and letting it be known today. As long as I am Chairman of the Liquor Licensing Board no application and no waiver will be given to anyone in regards to the restrictions that have been laid down into that Law, it was put there for a reason and it will stand.

Mr. President, this country needs more hotels, and I am hopeful that in the coming year the existing hotels will take up the challenge and enlarge their properties; if that does not happen, then we will have to actively solicit and encourage investors in other areas to come in and to build more hotels. Our tourism is increasing, we are providing the money to increase it with and we are providing the airline seats. Now, we are asking them to also put their money where their mouths are.

Mr. President, in 1976 as the budget will show, a large part of our revenue came from the collection of stamp duty on land transactions, and this can be attributed directly to formulation of the Development Plan and the regulations. What I am going to state now I would not like for it to be wrongly interpreted, being most people know that for years I have been active in the real estate business. But I also wish to speak on behalf of the other people who have been in that business, and who are not here today, and who are not politicians. In the past few years the people in the real estate business, who in most cases staked everything they had on the future of this country and who played a very active part in the development of this country are slowly being pushed aside. I cannot at this point say what can be done about it, but I think it is a shame for us to have gotten to the point where the majority of real estate transactions in this country today are not being done by the people who pioneered the real estate business in this country, and who staked everything they had in the hopes of a brighter future; but it is being done by the banks, it is being done by the trust companies and it is being done by the Attorneys. While to encourage, we cannot prentice as attorneys, we cannot act as bankers, so why should they interfere and reap the market now that it has been built up?

Should Cayman Energy Limited proceed with the completion of their plan the economy of the Cayman Islands will have diversified, the economic base will have changed into an area that will yield greater and greater benefits. And I would like to point out that any business venture that has the potential of yielding revenue to Government in the magnitude of this venture, especially without investment on Government's part, needs every possible support. The expenditure in the Private Sector will further grease the wheels of progress in this country. I do not believe that anyone could have negotiated a better contract than the contract which the Cayman Islands Government has with Cayman Energy Limited. We will share into a large part of the profit in the future from this venture; and another point worthwhile mentioning on, that this is a business in which most of our people are well educated, it is a business they are quite capable of handling.

We have instituted an incentive scheme to stimulate trade and industry investments, but at this point the results have been minimal. We would like to see more local people take advantage of some of the existing opportunities. We welcome those who have taken advantage of this relaxation, but I would like to remind them that this is not a God given birth-right, an abuse by them of the relaxation of these privileges will not be tolerated.

Voluntary restrictions, Mr. President, imposed by the Private Sector can work, and this was proven in 1972, and I think that it is worthwhile that we thank all the business people who have helped to keep the inflation rate at such a low level. But although the economy in 1973 was more buoyant than it was in 1976, in 1973 the local economy experienced an inflation rate of 13 percent compared to 6 percent for this year. In 1973 our Government revenue surpassed expectations, we had an increase in revenue over 1972 of 75 percent. I consider that this is obtainable to an extent in a country like ours, with few resources and dependent on the whims and fancies of the outside world. This type of growth without increasing taxes is unequalled in any other country.

HON. JAMES M. MORRIS (CONTINUING): Government that this will become a reality in 1978. This can steer our young men in the right direction where they will learn from others abroad as we have done. There is very little bit of money being appropriated in the Budget for this, but we intend to pursue and implement this, and will seek assistance from every imaginable source. We would like for it to be fully understood that the wages, working conditions and benefits at this time are excellent in a maritime career. Those men who pass through this academy will carry our banner abroad, they will become our ambassadors and they will let the name Cayman stand out as masters among seamen; the reputation that we have enjoyed for so long.

It is a shame that very little of historical value has been preserved in our country. And this year we are asking for a small sum to create a national museum, this can be the nucleus for a national museum for this country which in years to come will show to the people who follow after us just what happened in the past in this country. In order to do this we are going to need a lot of help, help which I am hopeful the people of this community will give as they have so generously given, particularly in the last two years. We will be seeking to receive from them ideas as to how and what we can do, we will be having to receive artifacts, money and their time. But we are very confident that once this can be done that the national pride of our people will be completely restored. Along these same lines I have put forward a suggestion which I intend to spear-head, and that is a drive to create a monument on the George Town waterfront to our people lost at sea. These people who may have been in some cases forgotten, and who have been long gone, represented the national tradition of our country, and in my opinion their memory should be immortalized. Future generations of this country must remember and must forget our origins as a proud and independent people.

We will be seeking in time donations of cash from people, again, their labour, their time and the names of those who have departed and the particulars surrounding their departure.

Mr. President, the construction business locally provides a lot of revenue for Government in the form of duty collections on the material that is brought in, it provides income for a lot of our people skilled and unskilled. Today the construction business is booming in this island, and I am putting forward to this House that it is booming because of the climate created and the policies we have pursued. We told the people that changes must come in the Development Plan, and if you do that you change the economy of this country; the people were wise enough and they believed us. The Plan has been put into operation and the economy has boomed. At this point I would like to be able to thank on behalf of all the Legislative Members, the electorate, for casting their votes in 1976 to provide a Legislature who shared a common view that planning for the future should not be along socialistic lines, and that it should be in our own hands under our own control and with us controlling our destiny, be it good or bad.

Mr. President, at this point I hear local rumours of a developer who intends to test Government's policy by seeking a Liquor License in a certain building to be built in an area prohibited by Law. I have even heard rumours that go so far as to say that certain people may be invited to march should this Liquor License not be granted, because if the Liquor License is not granted then they intend to say, that a five million or nine million dollar building will not be built, and they will attempt to show the loss that it will be to the financial community. Let me make one point clear at this point. We appreciate having foreign investors, we welcome them, we will work with them, but I wish to remind them that this is not a one-way street. In the Cayman Islands they have a good safe investment and a very stable country free of major taxes; they must in order to share with that, share our views, they must respect our views, they must respect our laws, they must respect our way of life, and I remind them that we would rather die by the sword than relinquish the principles on which this country has been built. I personally will say, before I believe that anyone I am in a battle the best measure of success is to attack; and I do not want this to be placed before me at a time when I may not be able to attack, and I

HON. JAMES M. BODDEN (CONTINUING): out that the money in the budget for the maritime training school to, and will be handled by two departments; namely the Department of Health, Education and Social Services and the Department of Tourism.

For the Civil Aviation and Fire Service Department, other charges will amount to five hundred and ninety-three thousand and ninety-three dollars, which include thirty-five thousand dollars for additional renovation to the terminal building and twenty-five thousand for the flight testing of navigational aids.

The Department of Tourism staff locally and abroad, personal emoluments, two hundred and three thousand eight hundred and eighty-seven, and seven hundred and thirty-four thousand three hundred and eighty-four dollars for other charges; which will include for advertising, two hundred and twenty thousand dollars C.I.; public relations, a hundred and eight thousand two hundred and forty dollars; printed material, ninety-six thousand three hundred and five dollars, and local promotions fifteen thousand dollars.

I would like at this point to say a few words in regards to the Pirates Week pageantry which has just been held. This has proven a tremendous success this year, and words at this point would fail me in expressing thanks to all those who participated, especially the Chairman, Mr. Colin Easton and all the committee members. They did a fabulous job, and created bonds with other areas of the world, who in the future may tend to emulate us. Pirates Week joined our people together as one with them working shoulder to shoulder regardless of race, nationality or political beliefs. I am very proud of the people of our country for the efforts that they displayed in the Pirates Week pageantry, and when I say the people of our country, I am not specifically mentioning just our own local people, I include in so that the people who have come here from abroad and settled among us, they have played a very vital part and I make no distinction at this point.

I intend to request in the early part of the coming year, God's willing, that we be given a supplementary vote of fifteen thousand dollars for the Pirates Week contest in 1979. For this year Government will have spent about ten thousand dollars C.I. in the complete organization and everything of this venture. The cost of the money to finance this has come from business places and the financial institutions, but I am certain that although the business places and the financial institutions contributed that they also earned quite a bit in increased revenues. I would like to be able to know what effect money-wise that Pirates Week has had on the economy of the Cayman Islands. If the true figure for 1978 could be told I believe it would be an enormous amount.

At this point I would like to touch on a minor thing in the Budget. In the years 1977 and 1978 I asked, and it was approved for me, an expenditure of ten thousand dollars each year for the use of local promotions. This I have used very wisely and I have documented it very properly. This year I am asking for an increase to fifteen thousand dollars; this is spent in areas where we have not foreseen an expenditure when we prepared the Budget, but I can assure each Member that everything has been watched closely and it has been handled wisely. I understand there may be a change through some minor member of the Treasury Department wishing to put veto powers on this for the year 1979; if that is to happen, I will tell you Members here in the House today, I will not be handling that account. I consider myself very capable, and I do nothing unless it is for the good of this country, and I do not intend, if you have put the confidence into me to vote this money into my Budget to go on bended knee to any one and ask their permission then, whether I can spend it or not. I think you have shown enough faith in me, and the country as a whole has shown the faith that I will spend that and spend it very wisely.

In regards to the Maritime Academy and the setting up of this, we are very hopeful that although this will be a monumental job that with the co-operation of two Departments working on this, the two that I have previously mentioned - with help from all the other Departments of

HON. JAMES M. BODDEN:(CONTINUING): for the radio and the advertising shots on the Cayman Islands; arranged publicity for ten major public relation projects, such as the U.S. State Department Trade and Industry Forum; produced twenty collateral pieces; arranged four major radio series on the Cayman Islands in the United States, and the production of different types of press kits from newsreleases and major articles.

We have had articles from these news releases appear in some of the following magazines and newspapers: The New York Times, Los Angeles Sims, Detroit Free press, Chicago tribune, the Dallas morning news, the Dallas times, the Houston chronicle, Houston post, New York news, Atlantic constitution, Philadelphia bulletin, news day magazine, Miami herald, Miami news, Tampa times, Sacramento B, Washington Post, Toronto Globe and Mail, Denver Post, Boston Globe, Vancouver Province, Christian Science Monitor, the Journal of Commerce, the Associated Press; syndicated to sixteen hundred newspapers, Newsweek magazine, US news and world report magazine, Gourmet Magazine, Travel and Leisure magazine, Saturday Evening Post and Southern Living. So, that will give you an idea of why we spend money for advertising in public relations. Without the spending of this money we are not going to have tourists, tourism is not something that happens by chance, it has to be promoted.

For 1978 the Department of Tourism and Cayman Airways budgeted four hundred and twenty thousand U.S. dollars for advertising and collateral material. But because of the large amount of free advertising that we received, some of the advertising which I mentioned awhile ago, it has been necessary to only spend three hundred and five thousand US of this amount. It is no use of us saturating the market when we cannot handle it, we can leave some of that to be done next year.

To review 1978 tourism over 1977, in January of 1978 compared to January of 1977 tourism was up seventeen percent. February compared to February of 1977, nineteen percent; March, compared to March of 1977, ninety-nine percent; April, compared to April of 1977, two percent; May, compared to May of 1977, ten percent; June, compared to June of 1977, forty-seven percent; July, compared to July of 1977, thirty percent; August, compared to August of 1977, twenty-eight percent. These figures reveal returning increase and it show us why we have to be ready in many respects, such as airline capacity in order to deal with this business. One point that it does bring up that is very encouraging to us, and that is, that our top increase is coming into months which before were considered months that tourism could not be actively promoted, and that is in the Summer months. We have dispelled this theory and have proven that tourism in the Cayman Islands can be a viable activity year round.

To August 1978, forty-two thousand eight hundred and one tourists by air came into the Cayman Islands from the United States, this compared to forty-five thousand seven hundred and nineteen for the entire year of 1976. From Canada up to the end of August, we have had four thousand five hundred and fifty-three arrivals against seven thousand one hundred and thirty-eight for the entire year of 1976. From Canada, we have had three thousand and twenty-six compared to six thousand six hundred and sixty-one for the year of 1976. From the United Kingdom, we have had ten hundred and eighty-four compared to eighteen hundred and fifty-three for the entire year of 1976. From Europe, we have had seven hundred and twenty-seven compared to seven hundred and sixty for the entire year of 1976. From the rest of the world, nineteen hundred and eighty-three compared to two thousand nine hundred and forty-four for 1976. This reveals to us that in the coming year we have, (that is the Department of Tourism), has to take another look at the Canadian market, for what reason I am not able to tell you today, although I have my suspicions we have not received the amount of tourists in 1978 from Canada that we should have received, but we will be taking a very strong look at this area in the next few weeks.

For 1979 we will require seventy-nine thousand three hundred and thirty-eight dollars for local administrative staff, and our other expenses locally for 1979 will amount to a hundred and fifty-five thousand one hundred and fifty dollars which includes the tourism and industry training scheme of one hundred thousand dollars. Trade and Industry promotions, twenty thousand dollars; Cayman Theatre, fifteen thousand dollars; Maritime Trading School, fifteen thousand dollars. I will at this point in my deliberation point

HON. JAMES M. DOUGLAS (CONTINUED): of the various media with which we will be advertising. Our allocation in 1979 will be about a hundred and seventy-five thousand US to magazine advertising, about sixty-one thousand US dollars to the newspapers and about twenty-two thousand dollars to the travel trade.

One important point that has recently come to my attention is that in surveys that have been run in North America, it is found out that approximately eighty-two percent of the travelling public rate personal recommendations from friends as the most important factor in their choice of where they go as a vacation spot. Now, that is why we must continue our friendly attitude; we must continue to maintain a relatively crime-free atmosphere, coupled with good courteous experienced service at reasonable cost to the person coming on a trip. The hotelkeeper and the staff have a very important part to play in this respect, and the hotelkeeper must realize that to command the top dollar, and to continue to get the tourists as a result that he must have, he must have top quality merchandise which he will be selling. By the same token it is important that our staff that work in the hotels continue to give courteous service, that is one of reasons that prompted us to institute the training course.

Predictions in 1979 show that approximately four and a half million U.S. citizens will visit the Caribbean area, and we are determined that we will get our fair share of this amount. Cruise ship business in 1979 is estimated to show an increase of twelve percent. We should be able to obtain again a very large amount of this, because fifty percent of this business emanates out of the Miami area. We are confident that by working very hard and exerting many efforts that we can enjoy a good increase in 1979 over 1978 as we did in 1978 over 1977. Our advertising continues to be geared to portray recognizable differences between the Cayman Islands and the rest of the Caribbean. To give you an idea as to what we're up against, I will quote you some figures as to what various countries in the Caribbean spent in promoting tourism in 1978. The Bahamas spent approximately three million eight hundred thousand dollars US; Bermuda spent approximately three million US; the Virgin Islands spent approximately two million US; Puerto Rico spent approximately four million US; Trinidad spent approximately one million US; Martinique spent approximately eight hundred thousand US; Jamaica spent approximately two and a half million dollars US. So,

you can readily see that success in Tourism does not come merely by luck and chance but it comes by heavy expenditures and very hard work.

Our public relations staff in the form of Cayman News Bureau, in my opinion, continues to do a good job in 1978, and I am hopeful that that will continue in 1979. We have received through their efforts in the past year much valuable free T.V. coverage, free radio coverage and much newspaper and magazine coverage that would have cost hundreds of thousands of dollars had we had to purchase it. To give you an idea of some of the things that have happened:- In 1978 the News Bureau has put out four hundred and seventy-eight press releases which were written by them and released to the local trade as well as to the North American market. They have sent out and they have processed and released six hundred and thirty photographic prints of the Island; they have had thirty-six people-to-people programmes on Radio Cayman; they have had over a hundred pages of news releases locally in the Compass and the Northwester; they have worked with thirty-five visiting journalists which came to the island to write articles for the press in North America; they have worked with three T.V. crews and numerous travel agents on familiarization trips; they have handled the initial flight arrangements, that is for the passengers and so forth in the V.I.P. group of Cayman Airways on the BAC 111 and the inauguration of the Houston route; they have arranged all the promotion publicity for Miss Cayman Islands 1978 contest and entry into the Miss World contest; they have obtained permission for the Cayman Islands entry to the Miss World contest; arranged for fifty members of the U.S. National Federation of Press Women to visit the Cayman Islands, and they have been very active in the Pirates Week and the miscellaneous things that went on in regards to that. They have helped to arranged fourteen T.V. appearances for the Cayman Islands in the United States, one of these taking as long as thirteen minutes, these were arranged in Houston, Miami, Tampa and Austin Texas. They have assisted with one T.V. filming session in Grand Cayman; supervised a photo shooting contest

HON. JAMES M. BODDEN (CONTINUING): approval of only thirty-four mortgages since this inception has added but very little to the economic situation in this country. I am of the opinion, Mr. President, that this scheme should be handled through the Government Savings Bank to help make this a very vibrant activity rather than an unprofitable appendage of Government.

The Island at the present time is in dire need of long term mortgage money in order for us to be able to expand our local economic base. Unless long term mortgage money is made available to this country, and there is a more realistic approach to the financing of the local private sector the local man will continue to be a hostage to the financial market, and eventually we will work our economic base either into stagnation or into a pyramid and then we will really have a recession. No one, I think, knows the actual amount of money per year that passes through the local financial houses. Estimates have placed this in to the tens of billions of dollars a year, if that is true, one can only guess at what the profits are but it can safely be considered that the profits engendered by this operation are considerable.

Now, we would not expect that one financial institution alone would take on this load, but we do feel that if they grouped together with each one may be providing fifty thousand dollars of money to a long term project, which they would manage themselves, that they would find that the profit engendered to themselves could be a vast amount as well as playing a vital part in the growing pangs of the economic situation of this country... The negativism of certain bankers must be dispelled, and we hope that in the event that this country would have to face another recession that the bankers would have more faith into this country and in its economy than to place their money as they did before, (that is their surplus money), and placed on deposits in New York at a ridiculously low rate of interest much lower than they were paying the depositors. This done not in my opinion reflect a very good image on the Cayman Islands when the financial institutions would do that. In our opinion that money could have been used much better and they would have made much more money out of it if some faith had been shown into the local economy of this country.

Company registration continues at a rapid pace, and it is my opinion that this is one office of Government that is staffed by capable staff willing to work and contributing in many way that they can to increase revenue to Government.

Shipping registration, which has been debated in this House in many, many instances in the past, continues to be a long sought-after dream. But we are very hopeful that sometime in the coming year this will become a reality. We are quite aware that it will be expensive to set up this system, and it may not be profitable for a couple of years, but it will go a long way to being additional source of good revenue to strengthen the economic base of our country. In order for us to do this we do need the support of the British Government in a few areas, so that some of the existing rules could be relaxed. And I am hopeful that we will use every means at our disposal to encourage the British Government to move expeditiously to have the various conventions applied to us.

Regarding Tourism, Mr. President, 1978 has seen a terrific increase in tourism. Overall, we have had approximately fifteen percent increase over 1977, and at this point we still continue to be the envy of the Caribbean in regards to tourism. In 1979 we have set ourselves a very ambitious goal, we are hopeful that in 1979 we can attract by air arrivals and by cruise ships arrivals a hundred and fifty thousand tourists to this country. I would like to pay tribute to our local tourism staff as well as to the North American staff, I think they ought to be commended for a job well done. But in order for this to continue we cannot relax our efforts, and we must monitor very closely the activities, not only of the Department in Grand Cayman but the Departments abroad. Our advertising programme is expertly prepared and it is directed at the correct type of market.

In 1978 our projected coverage in North America by paid advertising from the Department of Tourism and Cayman Airways should reach approximately forty million people in North America. This is a circulation

HON. JAMES M. DONOHUE (CONTINUING):

38. Relocate M.R.C.U. and incorporate existing buildings into hospital complex.

39. Set up a psychiatric clinic.

35. Setting up of a social security scheme.

36. Setting up of drug and alcohol rehabilitation systems.

37. Comprehensive banking and mortgage Law.

38. Playfields and olympic pool at the Cayman Islands High School.

39. Building of the middle school complex.

40. Addition to trade and industry training programmes.

41. Study of water lenses.

42. Creation of a local museum.

43. Construction of a memorial to lost seamen.

These are some of the points that were taken out from the material which most of us used in the last campaign in 1976. These are some of the items which are in the process of being tackled and some have not yet been tackled. It is possible that a lot of that may not come to fruition, but at least it was a goal set for us two years ago.

At this point, I'd like to touch a bit on the local economy. We are all aware that we operate from a very fragile base depending on revenues from the financial community, tourism, construction trade, sale of property locally and oil transfer mainly and the earnings from our mutual fund. These are all very fickle areas, and it is incumbent on each and every one of us to maintain the proper attitude which will allow these to continue. Our economy has recovered from the 1974/1976 slump, by us continuing to offer political stability, dedication to hard work and firm and decisive Leadership. The Members of this House have a lot to be proud of, in my estimation of, for the active role each and everyone has played. We are equally proud of the constraints exercised voluntarily by the private sector in keeping the increase to the consumer price index to five percent this year. This is particularly encouraging considering the dependency of our economy, and I doubt whether any other country in the world today can make a boast of this nature.

We are very happy to see the continuing faith that is placed in us by the financial institutions abroad, and to note the increase in banks and companies registration. It is very regrettable to have seen the pessimistic attitude which was displayed in some areas of the financial community, pessimism, which in my opinion was born from blind devotion to a lost cause. At the present time maybe they enjoyed more Government co-operation than they do now, but in my opinion they have forever lost the joys of being able to dictate what is to be done in this country. We are dedicated to providing the right political and social climate, but we are of the belief that they must work hand in hand with us towards a stable marriage rather than a fleeting affair. We are quite capable of providing the Leadership that this country needs, and I would hope at this point that no one will doubt that.

We have proven in the past two years that good business principles properly applied to Government can work, it can work providing that you are fair, firm and just, and by doing these things we can make an economy rebound even from the effects of a recession. Government today is the biggest business in any country, and we are of the opinion that sound business policies apply in the administration of Government as well as it does in the private community. The secondary mortgage scheme which has been made available to this country and which is being administered by Cayman National Bank, in my opinion, has not played the part that it should have done in the continuing development of this country. The granting and

HON. JAMES M. BODDEN (CONTINUING):

133. Set up of third Party Insurance committee.

134. A comprehensive educational policy.

A review of this will prove to anyone who is doubting at this point that for the past two years this Legislature has been very active.

At this point I should like to define some of the projects which it is hoped will be undertaken during the remaining term of this administration. These are items that were taken out from the sort of manifesto on which most of us campaigned.

1. Improvement to the financial centre and the conditions to provide longer term mortgages.
2. Upgrade the present Companies Law.
3. Upgrade activity of the Government Savings Bank.
4. Set up of local fishery's scheme.
5. Which the Member in his submission has put forward that he is planning to do at this time) - Implement attractive pensionary's redundancy scheme.
6. Tighten Bank secrecy Laws.
7. Enact a new shipping registration Law and set up a ship's registry.
8. Set up a maritime academy.
9. Provide a coastal patrol boat.
10. Broaden training for locals employed in the private sector.
11. Change the Attorneys' law to allow articling.
12. Enact an Accountants Law.
13. Provide local approved schools.
14. Enact a more comprehensive truancy law.
15. Modernize the career guidance system.
16. Enact new labour legislation.
17. Provide up-to-date manpower survey.
18. Police cadet corps.
19. Broaden activity and revitalize if possible National Council of Social Services.
20. Provide senior citizens' home.
21. Up-date of poor relief Laws.
22. Further up-grade day-care centres.
23. Further tightening of the Drugs Law.
24. Change in the Coroners Law.
25. Sewage and water scheme.
26. Further training in handicraft.
27. More experimental agricultural farms and districts planning.
28. Comprehensive public health law.
29. Construction of an abattoir.
30. Institution of local television.
31. Complete hospital facilities in George Town.
32. Lengthening of Owen Roberts' runway.

HON. JAMES M. BODDEN (CONTINUING):

100. Purchase radio equipment and generator for the Cayman Brac Airport.

101. Purchase large garbage containers and new garbage trucks.

102. Police Station at East End.

103. Blacktop Gunter and Manse Roads in Bodden Town.

104. Blasting of openings in the reef for bridge small boat protection.

105. Employ and train Cayman Airways Pilots, all Caymanians with the exception of one.

106. Set up Trade and Industry Board and secure representation abroad.

107. Negotiations on price increase with Caribbean Utilities Company and Cable & Wireless and control of Caribbean Utilities Company increases.

108. Creation of new Labour Department facility and staff.

109. Increase in new company and banks licenses.

110. New lighthouse facilities being prepared at Georgetown.

111. Obtain two hundred thousand dollars U.S. donation for Cayman Brac Hospital from Cayman Energy Limited.

112. Traffic Law Amendments to provide for control of taxis, provide bus stops etc.

113. Sent delegation to Nicaragua for Fishery discussions.

114. Opening of Department of Tourism offices Toronto and Houston

115. Expanded new Cayman Airways non-stop route to Houston.

116. Set up Cayman Airways reservation centre Miami, mainly manned by Caymanians.

117. Setting up of Cayman Airways accounting system locally.

118. Secured Cayman Airways counter space Miami Airport to be manned mainly by Caymanian staff.

119. Entered contract with the C.A.A. to provide technical assistance.

120. Institute airplane registry which is becoming a lucrative business.

121. Greater intake of money from the Cabs despatched from the Airports and the docks.

122. Set up of Government scheme to provide financing for agriculture and industrial development.

123. Building of the new surgery wing at the George Town Hospital.

124. A new gun control policy.

125. Amendment to the Fishing Law to provide protection for fish, conch and lobster.

126. Granting of the water franchise West Bay - George Town peninsular area.

127. Continuation and improvements to Pre-schools.

128. Adoption of Animal and Species Law and signatories to the Convention.

129. Black topped sections of the South Sound road.

130. Assistance to Cayman Turtle Farm in an effort to remove U.S. restrictions.

131. Promoted prestige for our country and increased national pride.

132. Agreement with U.K. hydrographic office to provide local hydrographic studies.

HON. JAMES M. BODDEN (CONTINUED):

83. Combination of Tourism and Cayman Airways offices about London to more suitable use of personnel.

84. Purchase and install new X-ray units at the George Town Hospital.

85. Refurbish out-patient casualty department at the Hospital.

86. Conversion of Doctors' residence at the George Town Hospital compound to a Dental Clinic.

87. New Hospital wing for pediatrics.

88. New physiotherapy unit at the Hospital.

89. New inpatient wing at the Hospital in George Town.

90. The renovation of the George Town Hospital kitchen.

91. Renovation of Public Health Department offices.

92. Continuation of the Genetics study.

93. Commencement of covered walkways Cayman Islands High School.

94. Completion of Administrative Block at Cayman Islands High School.

95. Commencement of new class room block and provision for canteen facilities at the Cayman Islands High School.

96. Continue furbishing West Bay Primary School.

97. Bodden Town School play ground.

98. Policy to determine priority to unmarried officers.

99. Tighten control on Government contracted officers' contracts and Caymen housing allowances.

100. Building of community hall and civic centre Cayman Brac.

101. Purchase of cemetery land Savannah.

102. Purchase of seacoast lands for public use mainly in the George Town district.

103. Provision of work at Christmas to the unemployed in the various districts of the island.

104. The building of a teachers centre at George Town Primary and site rehabilitation of same.

105. Purchase cemetery lands at East End.

106. Building of new classrooms and renovation to existing ones at Cayman Brac.

107. Provision of fans and water fountains at all schools.

108. Renovation of certain existing teachers' cottages to class room use.

109. Building of roads Little Cayman.

110. Completion of four unpaved miles of road George Town district.

111. Purchase of the new plane for Mosquito Research.

112. New garbage facility and equipment for Cayman Brac.

113. Dredging on Cayman Brac air route and repair of pontoon.

114. Provision for pedestrian crossings in George Town.

115. Provision for new light-house Cayman Brac.

116. Increase poor relief and child care votes.

117. Purchase of large amount of school furniture, equipment and books for library use.

118. Vote of funds for creation of public park North George Town.

119. Purchase generator for Cayman Brac Hospital.

HON. JAMES M. GODDEN (CONTINUING):

30. Change advertising system and broaden scope of national advertising.

31. Change in the Public Relations programme, broaden the scope of activity and establishment of Local office.

32. More people to people contact through local social activities - availability of members - public meetings and Radio programmes.

33. Broaden the Tourism programme towards more direct people to people contact and specialized groups.

34. More emphasis on local training schemes - more Government and offshore agency scholarships and promotion of scholarships from the local Private Sector.

35. Local clean up campaign, for instance the bottle clean up which was paid for by the Private Sector.

36. The creation of a historical pageantry - Privateer Week.

37. Free News Media coverage abroad - entering of Miss World contest - T.V. coverage U.S. and Britain - Radio coverage U.S.

38. Changes in the Liquor Law.

39. Changes in the Minimum Age Law.

40. Stand against constitutional change and local delegation to the United Nations.

41. Unity through collective elected representation.

42. Attempt to bring inflation complex to the local people.

43. Tightening of the Misuse of Drugs Law and harsher penalties.

44. Purchase of VOR/DME navigational system for installation - Owen Roberts Airport.

45. Care by Government of cemeteries in each district including the fencing.

46. More active participation of Legislative Members in representation abroad.

47. Active participation in the United States Department Trade and Industry forums.

48. More local participation of local people in Government, for instance, Tourism Advisory Council - Historical preservation of society etc.

49. Purchase of land for Sunnyside school and building of additional class rooms.

50. Addition to George Town Primary school and the establishment of canteen and purchase of additional land for expansion.

51. Tighten controls on placement of Government contracts.

52. Establish district clinic - East End and purchase of land for same.

53. Purchase of land for playfield West End.

54. Start of building South Sound Community Hall.

55. Playfield improvement West Bay.

56. Purchase land for Breakers Community Hall and building of same.

57. Purchase land and building Police Station North Side.

58. Renovation and painting of district town halls.

59. Adoption of the two hundred mile fishing limit.

60. Adoption of the Petroleum Law.

61. Promotion of group sports activity inter islands and abroad.

62. Local athletic teams for the Department of Tourism.

HOUSE RESUMED AT 2:30 P.M.

HON. JAMES M. BODDEN (CONTINUING):

Mr. President, I will continue my debate at this point by mapping some of the accomplishments of the past two years and projects that are currently being worked on.

1. Increased construction of the residential and commercial buildings.
2. Increased Government spending in many areas and institution of effective controls.
3. Decreased customs duty on motor vehicle importation.
4. Allowance of $1,200.00 per trip duty allowance on local travellers.
5. Promoted agriculture by further import duty allowance on agricultural implements and materials.
6. Trade and Industry scheme to remove import duty on materials used in building and equipment and raw material for manufacture.
7. Easing of controls and restrictions by the Planning and Protection Boards.
8. Changes in the Cayman Protection Law to provide long term local benefits.
9. Enactment of new Development and Planning Law and Regulations.
10. Tightening up of the Motor Car Law and removal of existing anomalies.
11. New approach to dealing with the back log of Caymanian status applications.
12. Issuance of three year work permits in specific areas.
13. Controls on immigration quota and restrictions on certain specific areas.
14. Setting up of the Trade school and implementation of training scheme through which over four hundred people have qualified.
15. Agreement on ship-to-ship oil transfer - Little Cayman.
16. Shore based long term oil facility agreement - Little Cayman, which in thirty years guarantees to the Government a minimum royalty of two hundred and forty million US dollars.
17. Changes in the Education system to discard the West Indian exam.
18. Purchase of land for the local prison system.
19. Plans for utilizations of more locals in Government employ.
20. Completion of first development and curtailment of proposed expenditure for some years.
21. Toilet facilities - cruise ship landing area.
22. Renovation of Owen Roberts Airport terminal.
23. Building of new fire station - Owen Roberts Airport, and purchase of new trucks, fire tender etc.
24. Caymanian F.A.A. communication system at the Airport.
25. Building of new road - West Bay.
26. Purchase of lands for extension to Cayman Brac Airport, and planned lengthening to accommodate jet travel.
27. Paved road North End to the Parliament's Club.
28. Repaired road to Cayman Kai and paved sections of the North Side road.
29. Caymanised Cayman Airways Limited operations and lease/purchase of three aeroplanes.

HON. JAMES M. BODDY (CONTINUING) ...: I would like to tell this House at this time that it has been investigated as thoroughly as it could be. The reports have been turned in with my recommendation and there is no more I can do. Every member of this House is quite aware that we as Members are responsible for our Departments. We are responsible to come in here and vote the money, find out where the money is coming from, beat our heads against the wall to be sure it is there, face the criticism of the public, but yet have no control over our staff. This is an anomaly that exists - I do not know how it can be corrected, but I would remind this House that this country has been built on dedication to service and that was instilled in us in the maritime industry in which most of us served. I am sure that those of you who paced the decks like I did are quite aware that if you had missed a watch it was no use of going back to your commanding officer and saying " I am sorry about it, but I forgot to look at the other side of that paper". That would be no good to you.

We are fast losing that type of dedication and my opinion is that when a man has a duty to perform unless it is something serious that happens to his family there is none or less no excuse why that duty is not performed.

We have all read stories and we have heard of them where, in the time of war, person who was a sentry might go to sleep. If he was found, he was usually court martialled and shot. Why was he shot - not for really being asleep but for the dereliction of duty. Because he had the lives of people in his hands and any time you, I or anyone else in this country are responsible for the lives of people, it is our duty to be on our toes and to perform that duty to the fullest extent.

When human lives are at stake, Mr. President, we cannot be too careful and I will remind the Members of this House that it is time we begin to not come complain in regards to dedication to duty and to uphold the noble standards of the past which we built on. The more times that we shut aside the making of a decision because it is unfavorable , the many times that we stand and say " Do not do anything about it because that is my opinion" or something, then, Mr. President, we are getting in a bad, bad shape, we are on the toboggan that is going down-hill and it is time that we change that course.

I, as the Minister responsible, am not satisfied with reports that have been given to me and recommendations by his commanding officer. But what can I do but sit in the corner and quibble my thumbs or some here and get it off my chest? Mr. President, I hope we will not have a reconsideration.

I would like at this point to go back to the first page of my address....

MR. PRESIDENT: I wonder if the Honourable Member would be prepared to take an intermission at this stage.

HON. JAMES M. BODDY: Yes, Sir.

MR. PRESIDENT: I will suspend proceedings until 2.30 this afternoon.

AT 13.30 P.M THE HOUSE WAS SUSPENDED

HON. JAMES M.BODDEN (CONTINUED): seniority should entitled a man to any position. I think a position in life must be earned by that particular man and not just by waiting, occupying a chair and every 30 years you are moved into another chair to keep that one warm for another five years. I do not believe it is the correct system.

Promotion should come from their qualifications, their experience and their training and that is what should be the criterion on which they are judged.

We have put a sum into the budget, I think it is $500,000.00 to assist in the raise to Civil Servants. I am suggesting that anyone in the service earning less than $10,000 a year should receive an increase of about 13 and a half per cent. In that category it would be deserving. And above that rate, we would then divide the remainder that be left after we have serviced those who are making the $10,000.

I would like to make another point clear at this time, because I know that everyone in the Islands will be saying, that is, in certain sections, what a demon Jim Bodden is in regards to Civil Service. In 1972, just after my colleagues and I entered this House, we were very instrumental in championing the cause of the Civil Service to where at that point they received a raise of better than 50% in salary. In my opinion that was very justified because the scales at that time were so much out of line with the private sector it was pitiful. But in saying what I have said here today, I have taken the time to check very closely with the private sector and tried to compare the jobs. I have done it in regards to some of the men of Government, such as Cayman Airways and analysed the positions there compared to the position in Government and believe me, in most cases of the private sector comparing it with Government, there is no comparison, because in nearly every instance Government is ahead. So that is why I say I championed this before, I may champion it again, if it is justified, but when it is not justified I cannot stand and recommend it. I must remember that when I was elected here I came in to represent honestly the people of Bodden Town, but after the last election I would say that I came into this House to represent the people of these Islands and I do not believe that I would be doing my constituents duty to them, Mr.President, if I used their money wastefully.

I wish it were possible that we could pay every man or woman employed in this country a million dollars a month. I wish it were possible, as I said in my previous budget, that we could afford to send every Caymanian abroad on one trip while I stood in the lounge at the airport and waved them off, but that is impossible. It is only a dream and we cannot live up to it. I am pointing to this House today that a 25% raise at this point to the Civil Servants is a dream.

I am fully supporting the raise which has been put and allocated in the budget which would have given 10% straight across to everybody but I believe, as I said while ago, that it would be more fair and equitable if in the lower grades we gave a higher percentage raise than in the upper grades, because in most cases the upper grades have already received, through the re-grading, a substantial raise.

Before I get to the main part of my presentation today, Mr.President, I have jumped into the middle of it now. I would like to comment a little and I do not feel I am out of line in making this presentation, because I am going to do it very veiled. There have been several members of the House that have spoken on a certain subject concerning an occurrence that happened a few days

HON. JAMES S. BOSSERT (CONTINUING): the other man's job rubs off on the other person and eventually that person becomes the same type of employee as the person who started out not doing anything, anyhow. So at that point you have two employees who are no longer of any use to you.

I am going to put some figures in the House, Mr. President, and not being an authority on figures, I am not going to swear that they are correct, but I would like for us, at this point, to take a look at a person in our Civil Service who is drawing a salary of C$15,000 per year. That person is to be assumed is on a two-year contract and let us look yearly what that person receives. We have first the $15,000 salary, we have a 25% gratuity scale, that makes $3,750 in addition to the $15,000 or a total of $18,750. More than likely there is a car allowance involved of $600. In addition the minimum housing, more or less that would be allowable for this would be about $300 a month or about $3,600 a year. If we take the free medical, which they also receive, if that person would have to go into the private sector and buy an insurance policy from an insurance company that is reputable and that would cover things that could be covered under our present Government system, it would cost at least $75 a month, which would be another $900 a year.

In the Budget there is a figure for moving and storage and baggage, and this and that and the other. Now let's assume that we had to bring the person's baggage here and let us assume we had to take it back - that is good for another $750 and if we take the return air passage, at least another $700, we have a salary at this point of $25,300.

Now let us go a little further. Under the present system that person would be entitled to 30 working days a year as a vacation. That is not 30 calendar days, it is 30 working days - that is 6 normal weeks of work. That one week of work or vacation benefit, is worth $1875. Again, they are further entitled to 10 working days of sick leave per year without really having to show much reason why they are sick and I really cannot state how many of them take it, but let us assume that this person making $15,000 a year during the year would call in sick 10 times, one day each time, which means he would probably not be checked to find out whether he was sick or not. That is equal to another $500. When we add it together we come up with $27,675, U.S.

Now, Mr. President, I will submit to this House that that is equal to a person in the United States, for instance, drawing $50,000 US a year and having to pay Social Security and income tax, and there are not too many people living in the United States that are making $50,000 US a year. Yet we are told that this salary is below the level at which a person can live on. I do not agree, Mr. President, because here we are giving a salary of $27,675 a year for actually ten months of work.

Take the Education Department which has a period of about 3 months of annual leave, when the school is closed, and take that in addition to the two months' sick leave and vacation pay, that is five months again that they are not working, so they are really earning $27,675 a year for seven months' of work.

You know it is something really I think that we need to step and think about. It is not just the $15,000 that you see in the books - it is the additional things that go to make the total amount up.

I feel that we should consider omitting where a person would be promoted from his performance and merit rather than under the present system because Mr. Tom Brown has sat in that chair for 15 years he can be promoted over the heads of Tom Adams who has come in and has been to college and has had two years of experience. I do not believe that

HON. JAMES M.DOLLEN (CONTINUING): an unheard of accomplishment and then to think that some of these people would have the temerity think that we are going to join that band wagon and go downhill on a ride to increase Civil Servants' wages to 25%. What is going to happen once that is done? Do you think the private sector is going stay stagnant also? It is going to create a type of inflation that these people would not be able to cope with and their 25% raise would have gone out of the window before they even realized they had gotten it...

In the meanwhile, Mr.President, I believe that some grades got increases of over $1,000 a year in salary. Now let's put that on a person making $15,000 a year before, now making $16,000 - and 25% of that, you are going to give him another $4,000. Added to that, Mr.President, that means that we have not given a 25% raise in a year we have given 33 and one third per cent raise in a year.

What I think particularly alarms me about this, Mr.President, is the manner in which people who I would think believe of, as Senior Civil Servants, have fashioned this move. I am very perturbed when I read some of the literature that has been sent out by this particular group. I wonder how far they are prepared to go? I wonder whether they think that this is a country like a banana right close to us that some of them have fled from.

This is not that type of Government, this is responsible Government, giving responsible leadership and we will not buckle to that type of representation.

Mr.President, I fully believe that every man who labours should be paid his just reward, but I do not believe that if a man goes to work at 8 o'clock in the morning and he labours all through the hust of the day that at 4 o'clock in the evening he should be paid the same amount of money as somebody who came on the same job and stayed only one hour. I do not believe that is correct. By the same token, Mr.President, I believe that people should not be paid just to keep a seat warm and the time has come to make some changes in that respect.

It is very true that in our Civil Service we have many loyal, dedicated, hard-working people. People who I am very proud to work with; people who I wish it was possible that we could give even larger increases to, because I think they deserve it. But for us to go and look at this today, straight across the board and agree to this type of increase, to people who spend their time in the administration building and half of the time I believe they do not even know whether they are inside the building or not. This type of foolishness must cease.

As an elected member serving in an administrative position in this Government, I become sometimes very frustrated and I am very pleased to hear my colleague use the same words while we, because I wondered whether I was the only one that it was bothering. But I think I can justly say that my other three colleagues would have the same feeling on it as I do.

We have to continually run an obstacle course in order to get things done. Sometimes when I send things out from my Department and it comes back to me with foolish notations on it - "You wrote on the wrong side of the paper - you should have written on the other side" or something similar to that. It makes me wonder just how ridiculous we can get and how far we are willing to take bureaucracy.

Mr.President, I think the time has come for us to invest whatever money is needed to make a complete study of the Civil Service. Find out just what is needed to make it tick. Find out how we can pay the people that are just loyal and hardworking and how we can get rid of those that are not.

Another thing we must remember in this respect, Mr.President, that when a person has to continually, day by day rub shoulders with a person who is not doing their job, the burden of doing

HON. JAMES M. BODDEN (CONTINUING): of this House is as proud of that as I am. Two years ago, Mr. President, there were all kinds of predictions, every paper that you picked up had something to say about the new administration and the downward road which Cayman would take. It would plunge into a precipice that undoubtedly had no end, but Mr. President, why I am so proud today is because we have made those same people eat their own words, we have proven them wrong. Our growth for the past two years has been phenomal and I challenge anyone to have disproved that has been done.

We have suffered misinformed criticisms in the form of venomous attacks from selected areas of this community, but Mr. President, we have proven these skeptics wrong and I will stand here today and say that it is true we have not been able to create monuments of stone and mortar, but we have given fair, just and business-like leadership, unbind and unfettered. When the history of this period is written it will be said that this was a time when the Government had firm and decisive leadership and leadership that would not waiver once a decision has been made.

I am not afraid to boast of it because I think it is justified. We took over at a period when there was a lot of discontent in our midst. At a time when every political ile that could have been told was told and when they had used their every in every length that it could be used in order to cut the credibility of this Government.

I have a further attack on this as I proceed in my debate of this Budget Address. I apologize for the apparent length of my speech today. I have thought about this long and hard for the past few days as to whether or not I should speak and if I spoke the length of time I should speak. I have prepared notes on 35 pages of paper, and I may speak all day and in to tomorrow. But I apologize if that happens, because I know everyone is anxious to get into the finance committee. So to save time at this point, Mr. President, I am going back to the last page of my notes and pick up at the point my colleague left off awhile ago. I have always believed it is easier to attack and for people to keep it in their minds if you have continuity.

So my worthy colleague bounded on the proposed salaries for the Civil Service and I will continue at that point. First of all let me state that I am not in principleas first a rules, once it is justified, but it must be justified. This past year we under went a salary regrading of the Civil Service and if my memory serves be correct at that point we were told the cost to the Government would probably not exceed $80,000. Again, if my figures are correct, I understand the ultimate figures will be over $200,000. I attempted in the early morning hours with morning to work some of these out but became too sleepy and I stopped.

Now in addition to the regrading which took place, and I would hasten to point out here that I am not intending to say that the regrading was not fair and just as may be it should have been, but as another speaker has said, sometime it is human to err and I do believe that there are a few existing anomalies in that respect which could be corrected, but recently after this certain segments of the Civil Service have now put up a proposal for 5% and if I am correct in the information I have been given that they were told that it was justified and that the only reason they would not put it in because of the four elected members who sat in Council. Well, Mr. President, that maybe correct because I think my colleagues have spoken the subject already and I will add my two bits to it and I cannot agree to a 5% across the board increase at this time to the Civil Service.

We have come out of a year where we have proven that without any type of direct controls can control our inflation, although we are so dependent on the outside world to the point today that we are probably the envy of many countries of the world being able to have an inflation rate for 1978 in such a boom year as 1978 was of only 5%. It is

HON. TRUMAN M. BODDEN: (CONTINUING): Again this week as what when a question comes up of benefits to the service the Civil Service Association can also say, look, we are active and these are the respects in which we can improve the system. We looked fully very heavily on that Association, not only to protect its members fully but to be fair and to put forward the developments which can continue to make the service a vibrant and a developing service.

I would not like to have it imputed that I believe or I feel that they have not very carefully looked at all aspects, because I feel they are responsible and they have done this; but I would also like to see the private sector participate with by way of, say, improve the service, and I think coming from them who know more of the problems and especially the reasons for the problems for better than the persons on the outside, then I think that jointly the service would be improved and everyone would benefit.

The hand-cap school and the genetics programme are being given top priority, and it is progressing well, and I would ask the Members' support for the handicap school. Also what the Government have provided for the Public Health Services, because I think that, as the saying goes "one ounce of prevention is better than a pound of cure", and the money that we spend in this respect will always be put to its best advantage.

I would like at this stage to congratulate Dr. Tomlinson on acquiring the F.R.C.S. and now being in the unique position of being the only person holding that qualification as a Caymanian in these Islands. And I wish for him many successes, and I assure him the co-operation of the portfolio and the Department.

In conclusion I would ask this House to always take the approach of being progressive, to weigh matters carefully, to look at all aspects of finance and other matters of Government and to always attempt whether possible to be optimistic along with the necessary caution, but not to do so to the extent of stagnating any aspects of the economy. I ask their support and their continued support throughout the finance committee in respect of the Budget that has been put forward. I would also ask for the support of the Personnel within the three Departments of my portfolio to the Members, I believe that once we have our duty as representatives of the people very clearly in front of us, once we represent them to the best of our ability and take their instructions where necessary from time to time that this Island will continue to progress and our people will continue to be progressive and to be in an Island which we can all be proud of, both within the Caribbean and within the World as a whole. Thank you.

HON. JAMES M. BODDEN: Mr. President, it is a great pleasure for me to join with my colleagues of the House in once more debating the Budget for our country. We have been blessed this past year in many respects, and I can only hope that the great architect will continue to bless us and that as we proceed along life's way in the coming year of 1979 that we will be able to overcome most of the obstacles that may be placed in our way, and that when we come to the end of 1979 that we will be able, each and everyone of us to join in the debate for the year 1980, God's willing.

Mr. President, I am very hopeful that you especially will be honoured to join with us in the debate for 1979 end of the year for the 1980 Budget period. We all know that your term of office will be up before that, but we are hopeful that the Foreign and Commonwealth Office will once more look on it as a point of wisdom that they will extend your stay into this country for at least another year. I think that all the Members of the House would join with me in saying that to you.

At this point I would like to extend to the Financial Secretary my appreciation for the able manner he administers the finances of this country, and his delivery of the Budget Address.

Mr. President, I think a few of the Members have touched on a point to remind us that we are half way through this administration. I think the first Member to bring this to the attention of the House was my colleague from Holders Town, and I would have been very much disappointed if he had not done so, because two years ago marked a great change in the history of this country. When I recollect that two years ago this country was shrouded in gloom and pessimism with many people writing their articles of tripe into the main medium. It is something for us to reflect on, Mr. President, to see how far we have come in the past two years, and I am hopeful that many Members

HON. THOMAS M. BOLTON (CONTINUING):

Now, what are the advantages of the Civil Service from the Civil Servants' point of view? Some of these Mr. President, include that good system that every year normally, regardless of merit an increment is given to the Civil Servant, that comes until he hits or she hits the top of that scale, then at that stage the question of merit comes more fully into play. I am aware that the increment is not automatic, but in practice it is substantially automatic. They also get free medical services, and I was told - I believe this percentage is correct, that some twenty percent of the hospital visits have been by Civil Servants and Prisoners and the Police side; so they service as a whole in its institution. They also get a measure of stability which is unprecedented in the private sector; and one of the areas where I think that the system should be corrected, and it should go hand in hand with the intensification of the merit system - is that the disciplining and the effectiveness of having the policies of the Government put in force should be looked at.

The Civil Service carries out the policies of Government under the Constitution, and quite rightly the politicians are excluded from anything to do with the employment, promotion, discipline, termination or dismissal of Civil Servants; and I think that is a very good thing. But it is very important that the system is sufficiently strong to deal with the times that there is a trespassing of the General Orders, and in this the Civil Service is much slower, and I would say, somewhat less strong than private enterprise; perhaps there is a reason for it, but I believe that if that was altered giving the necessary stability, but also letting the system operate somewhat nearer to the private enterprise management system that we would have an improved service, and it would also reduce down frustrations both from the politicians' point of view and from the Civil Servants' point of view.

Another advantage is that the Civil Service gets reasonable vacation, and normally they do not have to put in their long periods of overtime which are necessary in the private sector. Some of the disadvantages of the Civil Service is the problem of advancement and having perhaps to take many many years before one can reach the top. However, Mr. President, the size organisation that the Civil Service now is, this has become less of a disadvantage as the service has grown. Management in many Civil Services is cumbersome and it is slow, and many times that slowness can inject frustration into the people who work within the system.

Looking at the improvements in the service both from the point of view of their advantages and the disadvantages, I accept that the service has played a vital part and it always will play that in the progress of these Islands. The ten percent financial provision made in the Estimates for an increase in the salary of Civil Servants I feel is fair and equitable. However, as in every democratic system, if it can be shown to me that this is not fair and equitable, then by all means we will see that whatever is fair and reasonable is given to the service. I would like to see that this be looked at very objectively, as I am sure it has been by the Civil Service Association and the Civil Servants as a whole and weigh the point both from the side of the service and the side of the Government; also to have a look at the impact that it could make on the budget and to take the position as a whole and apply the rule that in life one has to give and take, which is a system we would apply. And I believe that they would find that that ten percent spread with more to the persons in the lower financial bracket and somewhat less than ten percent to persons in the higher financial bracket would be fair and equitable.

When the evaluation was done some months ago, there was an increase in salaries at that time. It also carried with it, Mr. President, certain anomalies which have caused my portfolio - some of them some problems, but I believe that these are now being corrected, and I have asked my Principal Secretary as far as possible to deal with these anomalies and try to get a more regular basis for the increases or the reasons for non-increases in it. I would call on the Civil Service Association that when in future it does put forward matters relating to salary increases and any other aspects of the benefits to the Civil Service, that it would also look at the other aspects of how the Civil Service can improve itself, what ways it could be developed and to also

HON. TRUMAN M. BODDEN (CONTINUING): in the effort that they put into this and the co-operation. I do not intend to go into this, because at a later stage the policy will be laid on the Table, and I would thereafter be putting a resolution which would allow discussion of it.

The Member from Cayman Brac, Capt. Tibbetts, did however make a few comments, which on brief from my personal point of view I thought were somewhat un-necessary; and all I can say is that I will endeavour to help and to support education within Cayman Brac and Little Cayman. We all make our mistakes at times, and we have our wild days, and perhaps the day that he telephoned I may not have been in, and if I did get the message, I am sorry I did not return the call. However, it is a fairly minor thing, and he did have my other office number and my home, and I would undertake to him that I would attempt to answer him expeditiously hereafter. It does show you though, Mr. President, how no one is human because he forgot to give me a very crucial report in relation to education from Cayman Brac, but I'll comment no further on that.

I however believe that the people of Cayman Brac appreciate both what this Government has done and what the different Members have done, and I have this not indirectly, but directly from the different meetings that I have attended. And I would hope that in the future the Member would perhaps get out more information to his people there or alternatively would take his constituency more regularly or frequent basis. The problem that he has mentioned is perhaps peculiar to Cayman Brac, in that the results were very low in exams within this coming year. However, we have appointed a committee, Mr. President, and that committee will go in detail into all aspects of the education system, and it will deal with the peculiarities which go beyond any that may exist in the education system in Grand Cayman. But the policies which have been turned out will go a long way, I believe to alleviating the problems there. One peculiarity is that while the primary schools in Grand Cayman seem to be not as high as the primary schools in Cayman Brac on a whole, their high school seems not to be up to the standards that the high school in Grand Cayman is; so it is something that I think must be looked at in more detail locally.

Mr. President, I would like to move on very briefly now to deal with the Civil Service and its salary .....

HON. TRUMAN M. BODDEN:

Mr. President, the Civil Service salary increases, I'd like to deal with this now. I believe that it is becoming more and more important for the Civil Service to operate in the perception which it is not in conflict with the system as established within the service, more on a basis in which people or Civil Servants advance according to merit instead of according to age. This is one of the things that have come through the basis of the education proposals, and I believe that the stress on Civil Servants advancing because of ability and on merit should be more pronounced.

One of the problems we found in the Medical system was that if children knew they were going to advance whether they worked or not then they sometimes did not do as good as they could have done. I know that there is a merit system involved, and what I am asking for is for you, Mr. President, to have very careful look at this and see in what ways the system of merit which prevails throughout the structure of salaries on the private side can be injected. I realize the fact that you must go in accordance with General Orders and the Rules laid down therein which have to be standardised up to a point, but if a Civil Servant knew that when he worked hard or acquired more qualifications that he would not also be followed by someone who did not work equally hard or did not have the similar qualifications then I believe we would have a more vibrant and stronger Civil Service. It also makes for a lack of frustration to those Civil Servants who do work very hard. I would not like it to be implied or thought that I do not appreciate that a very large majority of Civil Servants do work hard and that they are capable. I am merely asking for an intensification of the merit system and the promotion system.

HON. THOMAS M. BOONEY (CONTINUING): put to the Chief Secretary and it would be taken up from there. I must say that looking at the position on the other hand we have had many people who have said that the service has one, improved very greatly, and secondly, is very good compared to the amount of facilities and the condition under which the medical staff have to work. I would also like you to bear in mind that the hospital, while it is good, it lacks a fair amount of the highly specialist type of equipment, and it also lack in some respect some of the amenities, such as air conditioning in the out-patients' room which I think will probably help the tempers of ill people when they are in there.

The Member from East End mentioned that Mr. Alfred was working without toolsin the environmental department, and there are certain requests which I would just say are partly in the estimates and some which are not in there at present; and I will deal with those within the committee. What I do agree with the Member mentioned in, that if the garbage service is not being provided to somebody, then they shouldn't have to pay for that service; I mean, one follows the other, and I will have this checked out.

A lot has been mentioned in relation to poor relief, in relation to having a person on the relief giving their estate into Government, and this is quite good, and I will peruse this and see whether legislation is necessary. However, under our Maintenance Law at present the Court may order that maintenance be granted by any person, not just children who is a close relative and those relatives specified in there. So it may well be that we can request the services of the Legal Department to have a family who can support their relative to give the necessary maintenance in and have this put in a court order.

I feel it only fair to say that the Health Department has had its growing pain, but that we have had a whole co-operation from the Chief Medical Officer and his staff, and they have worked very hard, and I am very grateful to them for the help and the support that they have given. And I will endeavour, along with the Chief Medical Officer to remove any of the anomalies which now exist. The programme is a heavy one from the capital expenditure point of view, but I believe that Health is such an important subject to everyone's life that this House will give it very sympathetic consideration in the Budget.

I would welcome an increase in the poor relief assistance from the thirty-three thousand, and I notice that I can expect the support of the House on whatever amount they deem necessary.

In every developing country, one of the most difficult and the most, I would say, in many respects unthankful type of portfolios are those relating to Education, Health and Social Services. Mr. President, they are portfolios which carry very heavy expenditure without deriving monetary returns for it, but it carries indirectly within every society the necessary investment to keep the minds oiled and to keep society moving. I think the very healthy looking crowd of Assembly Members we have also that the Hospital and the Health Department has undoubtedly been doing a reasonably good job.

Turning to Social Services very briefly, I undertake to further formulate policies and to bring them back to this House in a very comprehensive form in relation to this. It is very difficult to lay down hard and fast policies, because they must reflect the necessary flexibility to go with an advancing society; but I will endeavour to do so and will go to further analyse any problem aspects of this, and to bring them back to the House.

The results of the schools, the C.X.C. and the G.C.E. exams this year have very clearly shown that over the past few years, and especially with the help of the very efficient staff, the Principals, the Head Teachers, the staff of the Education Department and the portfolio to whom I am very grateful have been putting together a policy or a set of policies within education which are beginning to pay off. However, we should not rest on our laurels at this stage, even though seventy-five percent of the students have passed at least one subject, I think that we must move progressively towards the day when most of the students perhaps have seven or eight passes. I have had a lot of co-operation, and I must say, a lot of work has been put into the education policies. And I would like to thank, especially my Principal Secretary and the Chief Education Officer and the Head of the different schools

HON. THOMAS H. BODDEN (CONTINUING):

With the above undertaking, the practice of doctors prescribing medication over the telephone, subject on a precaution until he reaches the hospital is to cease. And whenever a doctor who is on call is called by a nurse of registered nurse status or above or a midwife he is to attend the hospital as speedily as possible to see the patient. Under no condition should a medical officer who has been called under these circumstances refuse to respond to the call on the grounds that he is required to tend to one patient only; that is, the policy of accumulating patients before a medical officer is called, is therefore not recommended. Whenever possible a nurse of the status of Sister, which is the nursing supervisor, is to be on duty at the in-patient department and to be available when required by out-patient staff.

All medical officers are to be on duty daily, Monday to Friday in accordance with appendix I General Orders A sub-paragraph 3, Sub-sub-paragraph 4, whether or not their names appear on the duty roster. On Saturday and Sunday medical officers will work in accordance with the on call roster prepared by the Chief Medical Officer/Administrator. Arrangements for time off shall be authorised by the Chief Medical Officer/ Administrator.

The following categories of patients are to be seen by a medical officer and given priority, not necessarily in the order stated below. All children under age 3 years, Child services, Pediatric clinic age 12 years and urgent cases. In the case of children under 3 years this is applicable at all times on a twenty-four hour basis, and the other categories refer to attendances at the regular daily out-patient clinics.

Following on this and following on what I thought was very much implied in the administration, I wrote on the 26th July, 1970 to the Chief Medical Officer, and I will read the part that is relevant here. "I should be grateful if you would advise me at any time that drugs in the Islands are low or in which it is necessary for any drug to be purchased very quickly in the event of an emergency or otherwise. This is merely to keep me informed, and you know you have the authority to ensure that there is always sufficient drugs and other necessary supplies at the hospital to ensure its continued effectiveness".

So often there was an allegation that there was a shortage on some drugs I restated the authority which already exists with the Pharmacist and with the Chief Medical Officer.

There is a problem with the organisation of patients in the out-patients' Department, and I am proposing to deal with this in several ways; one of them will be the addition of consulting rooms there so that one doctor can have access to two rooms. We hope to alter it in such a way that patients can be dealt with in a more equitable manner. However, at present, normally what happens is that a patient goes there and he gets a number but as the Number for issuing does not commence, if that person wants to see a doctor specifically, then sometimes he may not go in numerical order. One thing that we all have to appreciate is that especially in every developing country and with patients who can not afford at that time, it is very easy to have allegations made which may be over-emphasised or may be somewhat misrepresented at the time. And I think you have to bear in mind and weigh each specific case when this is mentioned to you.

The Member from Cayman Brac stated that the Hospital there was only charging non-residents half of the fees. We have been through this matter and it has been corrected, and the Regulation is specific and it states that no person who is a resident of these Islands should be charged more than half fee; but as far as non-residents go, which would include what he mentioned, the seamen and visitors to the Islands should be charged the full price.

If doctors or nurses do not attend to patients within a reasonable time, then it is very clearly in breach of the policies which have been turned out and this would be a matter which my Principal Secretary would

HON. TRUMAN K. BODDEN (CONTINUING): always be made to ensure that there is no stagnation of business or any hampering of the smooth run of business as a result of any delays in appointments or any refusals of gainful employment thereto.

Mr. President, Civil Service training is one of the most vital aspects of a growing Civil Service. Unless we can have the upper ranks of the Civil Service strengthened with good and able and loyal Caymanians, then we must ultimately have a problem and a crumbling to some extent in the management structure. It has many times been possible within the pyramid of management to have a position in which the upper structure of the Civil Service was too strong or the upper structure management was too strong. There can be, (and I am aware of this) - a waste of money if there is a necessary duplication, but it is important that we get the upper structure of the Civil Service with the necessary experience and with deputies into the pertinent key position in the service. If, for instance, there has been head of Department away and there is not a good Deputy, then the whole of the pyramid coming down from that position must suffer. So, the time that is wasted and that money lost could be corrected if we can get good deputies in both to the Principal Secretaries, the Heads of Departments (and I am by no means not suggesting not making any implications on anyone who is in there at present) - But what I am really saying is, it is urgent I think to have the upper structure of the Civil Service strengthened to the extent that when one key person is either sick, or on leave or retires there is somebody to step into that person's shoes. If not, and orders and directives cannot slow down then a lot of the Government's money are going to be wasted, because a lot of the personnel under that portfolio or Department naturally are going to suffer, or alternatively they are just going to become lax and frustrated on top of it.

I know it has been difficult, especially from Your Excellency's point of view to find the necessary personnel. And I know that there are problems which I will deal with further down, which make it hard to recruit good personnel in the upper brackets of Government, but I believe that somehow this must be overcome, and especially as the Island progresses and as Government has mixed into one of the biggest businesses in the Island, then the structure must be solidified and it must be strengthen.

I would also like to commend the Attorney General and his staff for the very able legal advice that he has given and that the Department has given, and for the many pressures which he suffers from time to time, and take this all in stride; I think merely to look at the amount of legislation that has been passed or revised over the past few years will give some indication of the very heavy work load that exists.

Mr. President, the Health Services Department has come under some criticism, and in many respects that criticism is justified. And I would like to deal with some of the aspects that have arisen and that Members have stated, but not necessarily to try to deal with individual cases. My duty within the portfolio is to provide the necessary policies and to then ensure that through the very able effort of my Principal Secretary and his staff that the directives or the policies are carried out. Many of the complaints made, I believe Members will see as I read out some of the policies that have gone out to the hospital to the Chief Medical Officer should have been covered within it. I am responsible for health, but within certain areas of personnel I am not, and the Members are very aware of this. One of the directives or policies that went out on the 8th of August, 1977 and which had been in an oral form prior to this, covered in about four points many of the problems that have been alleged.

I will, and I undertake to turn out a comprehensive set of policies which will include one of these policies that I am reading to you now for this House to look at, as I have done with education. And I will bring it back in a form which is now in draft, but is reasonably heavy as was the education one, hopefully, by the next session. This policy stated that matron is to ensure as far as possible that a nurse of at least staff nurse status is available in casualty at all times for the purpose of evaluating cases and deciding whether a doctor should be called. It is understood that this might necessitate such a nurse being called over from the in-patient wing.

HON. TRUMAN M. BODDEN (CONTINUING):

Now that the import duty has been taken off the these products, I think it is the duty of every retailer and every whole-saler within these islands to ensure that this is passed on to the public. I think that it is their duty, and I would urge them to ensure that as soon as this relief can be brought in that it is done so, and that it is advertised sufficiently to the public to make sure that they realize that this has been done. It would be very unfortunate if this Legislature legislated in vain, and made this reduction and retailers did not follow through and pass this on to the public. I want to make it very clear, I have no doubt that they will do so, but I merely would like to point out that this is one of the reasons why at this stage the necessary co-operation which has always come from the public has helped us to deal with inflation in the able manner that we have in the past. I am quite aware that the relief cannot be reflected immediately and that it would have to wait until the stocks on the shelves have gone and the new imports come in, so there will be a time lag ; and once again, I think the public should realize that.

The Capital Expenditure which is in the estimates for this coming year is to the extent of some two million dollars financed out of the recurrent revenue. It is always very heartening, Mr. President, to find a situation which is similar to having a person - an individual pay for his capital expenditure on, say, his home out of his present salary without amortising it over a period of years. Over the past two years this Government has had very few loans, they have been extremely small, in fact we have had no major loan;and this year while there will be a loan of approximately one million dollars to deal with capital expenditure, I think that it is very good to see that,probably,double that amount is being financed out of the revenue for the year. That situation, Mr. President, is very heartening, but to many economists it is one which should be dealt with very cautiously. From the economist point of view it is many times better to take the capital expenditure on a long term basis or a medium basis spread over the life of the specific machinery or building or whatever the capital should be, and to put aside a reserve to cover the future problems when one may need to have more of a cash flow. However, I am sure and I support the Financial Secretary on the injection of this large amount of revenue into the capital side of the Budget, and I believe that he has done so because he has faith that there will be a continuity of the income to the Government, and thus no further need at present to take out the revenue which can be costly from the point of view of paying interest on it when it is not necessary. If it does become necessary, then I am sure that we could have a conversion of the short term into the medium term financing.

The Financial Secretary said that the services and achievements of departments are a direct result of Government's financial efforts. Mr. President, I believe that he would agree with me that the vice versa position is also true; one is related to the other and one depends on the other. Without the financial effort the achievements of the departments would suffer, and without the achievements within the departments in Government as a whole the financial position would suffer.

With immigration we have had and we are aware that there have been delays in having applications, both for gainful occupation licences and for nationality processed.But the Government has now taken measures which hopefully will,with an increased staff, correct these problems. It would not be fair to lay the blame for this directly either on the Board or the administration, but the improvements will be, I believe to such an extent that within another few months we should see a relief of the back log on these permits. We continue to welcome people to these islands who contribute to society, but this Government will continue to follow a fair,equitable, but cautious approach in relation to immigration. It is always easy in the years of plenty to lose sight of the long term planning on immigration, and then to be faced with the type of problem during the lean years which should not have arisen if the necessary fair and equitable controls had been imposed during the years of lean. And we are going back into those years of plenty, and I believe that the necessary caution should be exercised at this stage. However, with it, I think that it is necessary for the progress of our Island to have within it persons from abroad who contribute ; and every effort will

HON. TRUMAN M. BODDEN (CONTINUING):

The secondary mortgage scheme, while as the Financial Secretary mentioned, has not progressed as rapidly as we would like to have had it progress , it nevertheless fills a very necessary gap in the economic part of our people's lives. One aspect that this country can gain more revenue and other indirect benefits will be through proper registration as well as the insurance laws, and this Government has pushed as far as it can and as fast as it can to bring these into operation; and naturally with the shipping legislation, the two main committees, the solus and the load line. Legislation in that respect, Mr. President, as you know has to be dealt with through the United Kingdom and it does not quite as rapidly dealt with as if it was only being done through this Government locally.

I think it is fitting to commend the Tourism Department portfolio and the Cayman News Bureau, and especially the promotion side of Tourism and Cayman Airways. I know as a fact that the promotion has been done very ably, and it is due to this promotion that we have had the boost in that aspect of our economy. I hope that within the next few months, and as soon as certain aspects of the transaction can be dealt with with Cayman Energy, that both the trade and commercial school as well as the maritime academy can move forward. This is straddled between the portfolio for Tourism and my portfolio, and every effort will be made to have this expanded and to have it put in effect. However, I believe that we will be getting contributions from the different entities, including Cayman Energy and perhaps from the builders and the banking and trust industry, and this will not only help to give us a better facility, but it will be in a more or a better plan and perhaps a more extensive than we would have gotten if we'd moved forward - back a couple of months ago.

The construction and real estate business continues to be a very heavy contributor, especially from the point of view of employment and also revenue through import duty. And I believe that this has now moved upwards considerably, and that in fact, it is becoming somewhat pressing to find the necessary employment in the building industry. And this, Mr. President, is a very good thing, and provided that the immigration is sufficiently controlled and fair and equitable both to the employer and to Caymanians as a whole, as well as to non-Caymanians coming in, then I believe that this will move forward progressively and equitably.

While I do not like to place emphasis on parts of history which are behind us, it is unfortunate that perhaps the oil industry did not move forward some three years ago. If it had, Mr. President, then at this stage I believe we could have made a very clear commitment to the people of these islands, that it would only be in extremely rare circumstances provided that that revenue was coming in, which it would have been at this stage, that the islands would have suffered very much from the financial point of view. However, it does give us something to look forward to the future, and I have no doubt, and I have every confidence that it will progress and that we will get the benefits which this Government and the Members of this House have negotiated with Cayman Energy. I feel it is fitting once again to congratulate Capt. Van der Linde and his team as well as the finance and the technical committee involved, and especially the contractors and the sub-contractors who will be working and promoting this industry in these Islands over the next few years. There will be set-backs with it, but in any investment that size, Mr. President, it does leave an area where it is impossible to put it within a time frame which one can think in on a hard and fast rule.

Inflation, Mr. President, is the necessary evil in every economist's life and I am sure it has been in the Financial Secretary's life for a very long time. We have been reasonably lucky in that our inflation has not spiralled the way it has in some other countries, and with this, I think has to go a certain amount of control. We are still in the very early stages of development from the point of view of any trend towards control in this area, and I believe that it should be possible that we would never have to go into a position of these controls; but it demands that the private sector must put on the necessary voluntary controls to ensure this.

HON. TRUMAN M. BODDEN (UP/DTM/ING): especially by the careful financial planning and control that is executed throughout the year and the ability to progress, but progress within the right economic constraints that the present day demands.

The Treasury and the Financial Secretary and his portfolio have dealt very ably as has the Financial Secretary in the past with controlling the financial planning, and the results I am sure will continue on in the years to come. I believe that the people of these Islands after a period of, perhaps the last three or four years, once again, have hope and faith in the economy, and that the Island will progress and thus private enterprise with it, and that it will develop to the benefit of everyone within the society.

Putting forward the balanced budget for the following year has once again with it the necessary cautions, and the estimates have been very cautiously prepared by the Financial Secretary, and I am sure that the control and planning throughout the coming year will also be very firm. I believe that Government at this stage is on a basis where it puts forward a very firm and progressive face, but also one which is very fair. There is a tendency for Governments to attempt to please all aspects of the society all the time, and this can only result, I believe in harming detriment to a larger part of society which would otherwise have not had that attachment of Government had been firm in many aspects of its financial control. With the non-increase in taxes and import duty this year, I think that once again we have set a precedent which we should endeavour to follow. And Mr. President, I believe that as the different aspects of the economy advance within another two to three years, that the Members within this House will be able to say with certainty that it should be a very long time after that that there should be no very heavy or any increases at all.

Respect must always be shown for all parts of a society, and the Financial Secretary in putting forward his reduction or rather the taking off of the import duty on the three luxury commodities has done so. Whenever we are in a position that we can ease the burden to society we have to make it in a fair way, and in this respect, I believe that everybody will appreciate this taking off of import duty on the three mentioned imports.

As the Member from Bodden Town mentioned, Government's duty is to provide a fair and progressive society and one in which it provides the opportunities for its people. However in any capitalist society the measure of self-help to a large extent is one of the main-stays forward. At present I think that the economy of the Islands has put forward the necessary basis for employment and also for enterprise to progress at a reasonable pace, and it is really at this stage up to the different members of society to move on it and to take advantage of the opportunities that exist. It is never possible to ensure an unwavering and steady movement in any economy, and from the positive point of view, Government as well as private enterprise should attempt to save during the good years for any deficiency which may arise in the economy or in the private enterprise economy during the more lean years.

Mr. President, I have no doubt that the economy of these Islands, the very good example that we have the right system and it seems to work well for us, and we intend to keep that system.

On the paragraphs relating to the financial industry, I believe that looking at the duties of a banker from Government's point of view, that bankers should give the necessary support and attempt to promote the Government and the free-enterprise system as much as possible. They benefit more perhaps than many of the other institutions, and if they do not support and promote the economy and the Government, then Mr. President, I will use the phrase -"they are really cutting off their nose to spite their face". I believe that they must put their likes and their dislikes in a special bracket and weigh it against progress as a whole. With the movements of Barclays and Banque d'Paris, any rumours or any attempts to state that there is no faith in the economy of these Islands or in the Government, Mr. President, is without foundation, and it lacks any reasonable support from the financial industry. It would be good to see a larger measure of medium and long term mortgages given by banks, and perhaps having them plough a small percentage of their profits back in this form. The returns are high, and from the economic point of view I believe that this could well be done.

MR. CHADDOCK EBANKS (CONTINUING): my head on theirs nor neither put theirs hands on mine. But on the whole, Mr. President, we need to look into this education field with our boys and girls being trained and stop using friendship and family circle individuals and all the rest of it, let every boy and girl, man or woman be judged on their own merits to where they can qualify themselves and be put in that position.

The time that people take, as I said a moment ago, to interfere in the affairs of the Government they were to help try to educate some of our young people they would be better. There has been all attempt a few weeks ago to bring back daylight saving time, we don't want that, we don't need it; we appreciate anything that's good that the Chamber of Commerce can do to help build the country, but that is nothing added to building it. The confusion that it is causing - the people are confused among themselves, not the time. Miami, Jamaica, they are all on the same eastern standard time that we are on now, they look more like idiots shifting their time up and down than we do, making ours remain steady at one place. I got enough sense to know if you take one hour off the evening and put it on the morning it makes a difference, and if you take it off the morning and put it on the evening it makes a difference still; but they all came here and found eastern standard time, they enjoyed it. So, when any visitor to this country can't enjoy the country the way we want it to be they can take their sacks and go.

Mr. President, I am not going to use up any more time; I guess Members will be really wondering when I said awhile ago, that I would attempt to adjust it to go into finance by Friday.

Mr. President, what I really have to say arising out of this Budget Address - out of these Estimates is going to be in that Committee room. And to the best of my knowledge I don't think at any stage in the finance committee that I've lost any respect for the Chairman, and I am not going to lose any respect for him in this committee meeting; but I can assure you, Mr. President, that there are a number of things arising in the Budget that I am going to dig along with him, and there is not going to be any compromising with some items in it. So I feel that that committee meeting is going to be longer than my replying to the Financial Secretary's Address.

No I have always been able at the end of the day to be able to shake hands and go out, and I still look forward to that. But as I've said, there are some things that I am not going to let slip through just that easy.

The Civil Servants, they are blowing their trumpets; well, that's their privilege, but I can tell you, Mr. President, no Civil Servant is going to put me up against the wall. I use my best judgment, even if it is bad, but they ought to remember that the man on the street has to live as well as any Civil Servant. And if they got twenty-five percent as they are asking for, and when they ask somebody to come to clean grass around their house and the grass puller asks for twenty-five percent, they would use a broomstick to beat him out of their yard failing to realize that he has to live as well as they have to live. So, that's one area that I will deal with in the finance committee as I said it, and it's time that they get some consideration, but their cost of living does not go up above the man on the street, they have got benefits to look to every month, the man on the street does not have that benefit to look to.

So, Mr. President, with those few remarks I will relax myself and prepare for going into finance meeting whenever it's convenient to the Financial Secretary, and I'll play my role in dealing with the estimates then and there. I thank you.

HON. WINSTON M. HUSBAND: Mr. President, the greater part of progress is the desire to progress, nation knows no pause in progress and development and attributes her cause to all in-action. That, Mr. President, is one of the principles upon which the world progresses. I would like to congratulate the Financial Secretary for his very able and well prepared Budget Speech and the very able delivery of it. It will be scrutinized each year and it must stand the test of time and the test of scrutiny and criticism for another twelve months, and therefore it is vital that it is progressive.

We have this year a surplus, and it is very good to see that at last the economy is pulling out of its failing state over the past few years. This has come about by the efforts of all Members in this House, and

MR. CHADDOCK EVANS (CONTINUING): in his capacity and his behaviour is an insult to me and to the people of this country. And if enough Members in this House had enough guts we would close every premises in this Island on Sunday, but it doesn't seem like the majority of Members have enough guts to close the places on Sunday. If we lose a tourist for that - because the tourists are always used as a defence - a plea, if we don't do this, we'll lose a tourist. Everyone of them came here and found what they found, and they accepted it, and if many of them hadn't come back a dozen of times, then they wouldn't have been satisfied. I am prepared to go all the way to make it comfortable and as attractive as possible to introduce tourists into the Island, and see that they are treated well after coming here, but I am not prepared to give away the birthright of this country to introduce a tourist or to hold them overnight.

One foreign newspaper we had learnt that it has been said that on Saturday morning they would take up their fish pots and bring them ashore and not them back then on Sunday. We are not talking about christianity, that's an individual agreement between him and God, we're talking about God-fearing and what is best for the country.

The Financial Secretary pointed out in his address that the country is stable, and as we go down we will see a lot of increases - seven, ten, fifteen, twenty percent on different things; otherwise the economy is on an upward trend, it's growing. And if this present House hadn't been working wholeheartedly and putting every effort to bring this country back from where it was two years ago, then we wouldn't have had the Budget presented and debt free to an extent as we have it now. We have a small surplus, we had a large deficit two years ago, but we are out. And I trust that we will be able to continue to have a surplus instead of going back to a deficit.

Education, Mr. President, we are spending a lot of money on education. I am not saying that it is too much, but something needs to be done about the boys and girls that we are educating, when we spend thousands of dollars a year on them to have them educated, get them qualified, and then they come back and they are not accepted as coming back as a qualified student, regardless of what field they might have gone out in. That doesn't mean, Mr. President, as far as I am concerned that any new comer to Government should be placed at the head of the ladder, I don't mean that, but they should be recognised, they should be put into position that they can easily adjust themselves and find their place to work to achieve them the higher level in the branches of Government over a short period of time.

Mr. President, according again to History, I just made a note of few of these things. In 1864 a population of two thousand people were then in the Island. It was mentioned that there were three hundred and fifty-eight could read and sign their names, all of the others couldn't. Well, I don't suppose we've got too many who don't sign their names, even if they can't read as well. The cost of education then was about a three pence per child per week, the annual expenditure was fifteen pounds ten per year for the school in the Island, which was about thirty-one dollars C.I. compared today to over two million. So, we have come a long way in the education field; boys and girls are having able to make a choice of a career and go out and qualify in these various fields. But I am saying, Mr. President, it's not all calm when many of these students return, and we are going to have to try to make this area a bit more satisfactory than what it has been.

In the school years that I have just mentioned, in 1954 there were about three hundred children in North Side, but they didn't even had a school, so undoubtedly the poor children there, I suppose could neither read, write, count, spell or anything else. And when the first school was built there, that's what I was told by my grandfather and great-grandfather and them, it was built in the graveyard. Well, I suppose it must have been with the intention or the attitude to tell the children you either learn or we will bury you. Well, North Side people always had it the hard way and still having it a bit hard; and I wouldn't attempt, Mr. President, to attach one rose for myself, but for my years in the Assembly if it hadn't had been a hard harsh determination to fight for the people of that community I don't think - we would still been out of something for the district. We have covered a lot of grounds, I appreciate the interest of the young people - there should be more doing better than what they are doing, but I can't put

MONDAY 20TH AUGUST, 1979

10:00 A.M.

MR. PRESIDENT: Please be seated. Proceedings are resumed.

DEBATE ON THE FINANCIAL STATEMENT (APPROPRIATION (1979) LAW, 1978 - CONTINUED.

MR. CRADDOCK EBANKS: Mr. President, I presume that Members are expecting me to get out of my shell this morning. It's a beautiful day, the weather is cool, so the temperature ought to be low.

I won't attempt to make this reply very lengthy, but I will endeavour to try to adjust it so where we will be able to go into Finance Committee on Friday. I must compliment the Financial Secretary for a master piece of work with his address. I feel like saying in my own words, and with due respect I think it's one of the best address that he has brought to the House over a number of years. He has really brought out the true facts and picture of things over the last twelve months.

One of the things that I'm really taken note of, and this has arisen from his own words in the planning of the Planning Department. Since passing the Development Plan in 1977 developers have shown more confidence in the stability of the Island, with resulting increases in physical development. Well, that, Mr. President is true, and if this Development Plan hadn't been dragged around for reasons we wouldn't have been enjoying what we are enjoying today through the passing of this Development Plan in 1977. If the previous Plan had been passed - and I am saying this, Mr. President, if it had been brought to the house before election it would have been passed, but certain Members of the then Assembly felt that if it had been brought it would have been a stumbling Block in the 1976 election. If some of those members had got back to that Plan would have been brought back to the House, and it would have been passed still; and if it had been passed in early 1977 Cayman Islands in my opinion today would be something of what I saw in Dakar French West Africa after the end of the war, huge buildings with no windows, no doors and shredded with cob web, that's exactly what would have been in the centre of George Town , in my opinion today if that Development Plan had been passed. But God was good to those that waited and helped those that tried to help themselves, and that is why we have a sensible, a workable Development Plan; and that's what brought this country back out of the rut that it was headed for.

Mr. President, this country has been built on a stable Government, God fearing people, although much of that is being trampled today. We had just a week ago a public function, the Pirates Week, and Mr. President, I'll go back a little bit according to history of some of those days According to history, in 1658 the two first settlers to the Islands was a Bodden and Watler Well, I am glad that I got some trace of vein of the Bodden , because my mother is from Bodden side - and from those first settlers as time went they seem to establish and settle in a God-fearing way and built up the country with a stable Government - a good Government; they didn't have what we got today, but they had belief, and they believed in what was good, fair, just and right. It is with regret that we are drifting away from some of that According to history, again, as settlers came in they found the Island so interesting, enjoyable, privileges, they almost refused to go back to the country they came from; and that is existing today. Nine out of ten, if ten comes in, they don't want to go back; they say it's because of a good, stable Government. And that's what we built the country on, Mr. President, but we have people that come in here and they feel that because their services are a bit needed, or they can fill the position of a job that needs to be done, they start then dabbling in Government's affair telling Government what it should do from what it shouldn't do. And, Mr. President, according to our Constitution it's the population - the voting population of this Island to elect who they want to run this country with the other members so rightly appointed in their places.

I remember just a few weeks ago when a gentleman was reappointed as President of the Hotel association, his first broadcast was that he would like to know what is going to happen about the extension of the Liquor Licensing Law for liquor on new year's day? Mr. President, such a man

FOURTH MEETING AND SECOND SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON MONDAY 20th NOVEMBER, 1972

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. - PRESIDING

GOVERNMENT MEMBERS

HON. D.E.FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.K.MARWICK, C.B.E.	SECOND OFFICIAL MEMBER
HON. V. G.JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN BODDEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. G.HALO DODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES L.KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION
HON. JAMES M.DODDEN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN GARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L.EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. ORRIN C. SMITH *	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE HOLDER BODDEN, OBE.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. K.P.TIBBETTS, J.P. +	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE CAYMAN ISLANDS
MR. CRADDOCK EBANKS, J.P.	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF NORTH SIDE.
MR. JOHN MCLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

* ABSENT IN THE P.M.

\+ ABSENT IN THE A.M.

ORDERS OF THE DAY

FOURTH DAY

MONDAY, 30TH NOVEMBER, 1978

1. DEBATE ON FINANCIAL STATEMENT (APPROPRIATION (1979) LAW, 1978) CONTINUED.

2. The Customs (Amendment (No. 2) Law, 1978 - FIRST AND SECOND READINGS.

The Petroleum Handling and Storage (Amendment) Law, 1978 - COMMITTEE THEREON.

The Agricultural and Industrial Aid Law, 1978 - COMMITTEE THEREON.

The Land Holding Companies Share Transfer Tax (Amendment) (No. 2) Law, 1978 - COMMITTEE THEREON.

The Traffic (Amendment) Law, 1978 - COMMITTEE THEREON.

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CAPT.K.P.TIBBETTS: (CONTINUING) such a difference in the budget of the Cayman Islands Government and I believe that the item of sugar would be more appreciated by the public than any other one item - because that is something that everybody uses and I strongly recommend that the Members here support the idea of adding sugar to this list.

HON.V.C.JOHNSON: Mr.Chairman, why do we not replace this rice with sugar then?

CAPT.K.P.TIBBETTS: I would put up no strong arguments against that.

MR.CHAIRMAN: Perhaps if I simply put the question without referring to law, the proposal is that rice should be deleted from the Bill and sugar added instead. If we could get an opinion on that then we could ask the Honourable Attorney General to look at the amendment.

HON.CHARLES KIRKCONNELL: Mr.Chairman, I am very sympathetic and I would like to see, if it was possible, to revise the duty on all staple items, but I think what must be appreciated is that we have married with these items which we considered would give relief to the poor people all around, and if around the middle of 1978 we see where it is possible for this Government to review and to give relief upon duties on any other item, we would do so, but we have to tread softly, Sir, into territory unknown, as everyone here must appreciate a budget is only a forecast of what we hope to get in 1979. I believe the public are quite happy and satisfied to have these three items removed which will give the poorer man a relief in this respect.

If it is the desire to take off rice and add sugar, all well and good, Sir, but I do not think that at this stage we should give both rice and sugar. As the Financial Secretary mentioned earlier the surplus shown did not reflect the effect which these three items would have on the budget, in other words, the $100,000 projected in the Budget, but the three items shown here - I think have not been deducted from the $100,000 surplus, so the surplus is really not going to be $100,000 when it is adjusted for the reduction of duty on these three items.

MISS ANNIE BODDEN: Mr.Chairman. I wonder if the Honourable Financial Secretary could tell us what amount is collected on the item of sugar and what amount on the item rice?

HON.V.G.JOHNSON: Rice is $12,000 and Sugar $25,000.

MISS ANNIE BODDEN: Well, I am afraid, Sir, we will have to leave it at the rice.

MR.CRADDOCK EBANKS: Mr.Chairman, I do feel that rice is a very standby daily commodity among a big part of the population of the Islands, you will live longer by eating than by drinking, so I guess we will have to stick to the rice.

HON.V.G.JOHNSON: Another thing, Mr.Chairman, we have publicised this, you know, that these are the three items on which duty will be removed, in the Budget Address and it has gone out far and wide among the public. Now for us to amend this and to introduce something else it would just be defeating what was put forward in the Budget.

I think it would be wise for us to abide by what was recommended and as the Government Bench mentioned, next year if the position improves and we find that we can further remove duty from other items, then we will consider this as well.

QUESTION PUT: AGREED. CLAUSE 2 PASSED

CLERK: A LAW TO AMEND THE CUSTOMS LAW (REVISED)

QUESTION PUT: AGREED: TITLE PASSED.

MR.CHAIRMAN: That concludes business in Committee. I think we will take the reports out of Committee before we move the adjournment.

HOUSE RESUMED

THE CUSTOMS (AMENDMENT) (NO.2) LAW,1978

HON.V.G.JOHNSON: Mr. President, I have to report that a bill entitled the Customs (Amendment) (No.2) Law, 1978 was examined and considered clause by clause by a committee of the Whole House and passed without amendment.

MR. PRESIDENT: The bill is accordingly set down for Third Reading when the Assembly resumes.

THE PETROLEUM HANDLING AND STORAGE (AMENDMENT) LAW,1978

HON.G.MAIC BODDEN: Mr.President, I have to report that a bill entitled the Petroleum Handling and Storage (Amendment) Law, 1978 was considered by a committee of the Whole House and passed without any amendment.

PRESIDENT: The bill is accordingly set down for Third Reading.

THE AGRICULTURAL AND INDUSTRIAL AID LAW,1978

HON. G. MAIC BODDEN: Mr.President, I have to report that a bill entitled the Agricultural and Industrial Aid Law, 1978 was considered by a committee of the whole House and passed with the following amendments:-

In clause 2 the words "Agricultural and Industrial" were inserted in the definition of "Board" between the words "the" and "Development".
In clause 3 the words "Agricultural and Industrial" were inserted between the words "the" in the first line and "Development" in the second line.
In clause 4, sub section (4) the word "as" was substituted for the word "and" in the second line.
In clause 10 the figure "(1)" in brackets was deleted.
And it was also agreed that the bill would be arranged in separate parts by the Clerk.

MR.PRESIDENT: The bill is accordingly set down for Third Reading.

THE TRAFFIC (AMENDMENT) LAW, 1978

HON.CHARLES KIRKCONNELL: Mr.President, I have to report that a bill entitled the Traffic (Amendment) Law, 1978 was considered by a committee of the whole House and passed with the following amendments:-

Section (b) 100 should be "10"It should read "In Section 10 (3)."

HON.CHARLES KENDONNELL(CONTINUING): In Section (m) after the word "Part" "of this Law" to be added, capital P capital L In section (n) between the words "Constable" and "two" the following to be added "who has reasonable cause to believe that such person has committed an offence under section 62".

MR.PRESIDENT: The bill is not done for Third Reading.

COMMITTEE
THE LAND HOLDING/SHARE TRANSFER TAX (AMENDMENT)(NO.2)LAW,1975

HON. V.G.JOHNSON: Mr.President, I have to report that a Bill entitled The Land Holding/Share Transfer Tax (Amendment) (No.2) Law,1975 was considered clause by clause by a committee of the whole House and passed without amendment.

MR.PRESIDENT: The bill is set down for Third Reading.

That concludes our business on the Order paper.

ADJOURNMENT

HON. D.H.FISHER: Mr.President, I move the adjournment of this House to a date to be notified after the completion of the Finance Committee.

HON.TRUMAN BODDEN: Mr.President, sir, request, I had a paper to lay on the table and I am wondering whether you propose to take that after the adjournment move die, as he has mentioned, or whether that will be taken tomorrow.

MR.PRESIDENT: Is the paper simply to be laid and without debate, to begin with?

HON.TRUMAN BODDEN: It would be laid, Sir, and immediately after, I think under Standing Order 16 or 15 I will be putting the motion as set out therein, in which case there would be a debate on the merits of it in whole House in committee.

MR.PRESIDENT: I understood this was being done after the Assembly resumed after the Finance Committee.

HON.TRUMAN BODDEN: If that is your wish, Sir, that is alright.

MR.PRESIDENT: Unless there is any urgency about it I suggest that we would take that when we resume after the Finance Committee has examined the Budget.

HON.TRUMAN BODDEN: Well, if that is the wish of the House then it would be alright, Sir.

HON.G.HALE BODDEN: Mr.President, can I ask one question? Will the Finance Committee met tomorrow or Thursday?

HON.V.G.JOHNSON: Thursday, Sir. It will met on Thursday morning at 9 o'clock.

QUESTION PUT: AGREED AT 3.35 P.M. THE HOUSE ADJOURNED

MR.PRESIDENT: I would announce that Executive Council, I think, should meet at let us say 3.15 this afternoon, as we are somewhat late and the Finance Committee will met at 9 a.m. on Thursday, and the Assembly stays adjourned until a date to be notified by the Clerk.

HON. CHARLES KIRKCONNELL (CONTINUING): ...and I commend and a further recommendation for what we have heard.

QUESTION PUT: AGREED, CLAUSE 8 PASSED AS AMENDED

CLERK: A LAW TO AMEND THE TRAFFIC LAW.

QUESTION PUT: AGREED: TITLE PASSED.

MR. GILLIGAN: That concludes business in Committee. It leaves us with the Committee stage of the Customs (Amendment) (No.2) Law, 1970 to take, when we resume, unless the Member would like to take it now.

HON. F.G. JOHNSON: I would propose that we take it now.

THE CUSTOMS (AMENDMENT) (NO.2) LAW, 1970

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED.

CLERK: CLAUSE 2 AMENDMENT OF FIRST SCHEDULE CUSTOMS LAW (1966 REVISED)

QUESTION PROPOSED:

CAPT. K.P. TIBBETTS: Mr. Chairman, I would like to suggest that we make a further amendment to this clause 2. I mentioned it in reply to the Budget Speech and I still feel that we should add another item, an important item to the three we have already seen fit to remove the import duty on.

Looking at the Customs Law you will see for instance "fresh milk" is duty free and now they have added "evaporated milk" to it. But Sugar is duty free and I am suggesting we add "granulated sugar" to the same amendment.

HON. V.C. JOHNSON: Mr. Chairman, I have already said that we had considered a number of other items apart from these three and the amount of duty that would be lost on this could cause an overdraft on the budget, but it is entirely up to Members because the Financial Statement has to be amended to show the effect of it. To release sugar entirely would be relieving another $50,000, $30,000 it is entirely up to Members now. I thought that 3 items on this occasion would be a reasonable proposition. If at a later stage the Hon. Member wished to consider a couple other items which would include sugar then they could perhaps come forward and propose further amendment.

MR. CRADDOCK EBANKS: Mr. Chairman, since for a few years now sugar was into the exemption group of commodities and it is almost non existent, I was just wondering if this granulated sugar could not fall into the place of the raw sugar, since there is actually no raw sugar imported anyway.

CAPT. K.P. TIBBETTS: Mr. Chairman, I appreciate the remarks by the Financial Secretary about what the Government would lose through removing the import duty on sugar. I am not afraid that our Government would not still make sufficient money to operate, because as it shows in the Budget Speech that we are expecting a small surplus at the end of this year and the end of 1970 and I do not see where $50,000 difference would really make

CAPT. K.P.TIDDEMAN (CONTINUING): they should not be able to stand an examination to drive a bus, an omnibus, which is 10 or more passengers, and as for on the age limit to concerned, as it is worded here now, it would bring it that a person would have to be 20 years old before he would get a license to drive a bus. But if they have a year's experience on any kind of vehicle they should be made to sit an examination for an omnibus. Then the age, after a year's experience will all come in line with the age of majority we have set.

MISS ANNIE HODGES: Mr.Chairman, I do not understand too much about this insurance but as I understand that the rates of the premium are much higher unless you are of the age of 25 so there must be something in the regulations somewhere, insurance or somewhere else that people must be of an age beyond 21 before they can be even put on insurance purpose.

MR.CHADDOCK EVANS: Then, Mr.Chairman, we should have moved the 21 up to 25, or 26 instead of bringing it down to 18, since maturity is at 25.

MISS ANNIE HODGES: Mr.Chairman, I was only saying with regard to insurance, because the others made an application to have some fellow added to my drivers' list and they told it would be king because he was just 21. So I do not know if it is an insurance policy or tairmount policy or what it is, but they informed me that he would have to be 25 to just pay the ordinary insurance.

MR.CHADDOCK EVANS: Mr.Chairman, I understood what the Lady Member said. She said insurance but I just answered in short, not with my disrespect to her at all. But the insurance is another (MISS ANNIE HODGES: Rankin!) something that should not be.

HON. D. H. POSTER: Mr.Chairman, could I ask the Member leading this bill how did the Committee feel about this - did it not go to a committee? Did the Committee agree on this?

HON.CHARLES KIRKCONNELL: Yes, we met two days with the Traffic Superintendent and I thought we had everything more or less ironed out. A question that was asked, how does one get a driver's license for an omnibus. Section 33 (2) describing how one must get a driver's license has passed prescribed driver's test in respect of the class of vehicle driven or is exempt under section 36 or 39 of this Act.

MR.CHAIRMAN: I wonder if I could join the question?

MR.CHADDOCK EVANS: Mr. Chairman, I thought I made it clear a day or so ago that I did not agree in the Committee stage with this bill as it was drafted and I would raise the question again and I still am not agreeing to it as it is. If other members agree, it is perfectly alright with me. We will be friends when we get outside.

CAPT. K.P.TIDDEMAN: I was not in the Committee at all - this is the first I have heard of it.

HON. CHARLES KIRKCONNELL: Mr.Chairman, I think it is now left for the Members to decide what we will do - are we going to have responsible mature drivers on the road or are we going to have a free for all? I am recommending, Sir, that we stick to the rules that we now have proposed

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON TUESDAY 24th NOVEMBER, 1970

PRESENT WERE:

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS HOCKEN, C.B.E. - PRESIDING

GOVERNMENT MEMBERS

HON. D.H. HUNTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.A. DARWICH, C.M.E.	SECOND OFFICIAL MEMBER
HON. V.C. JOHNSON, OBE., J.P.	THIRD OFFICIAL MEMBER
HON. TRUMAN HOCKEN	MEMBER FOR HEALTH, EDUCATION AND SOCIAL SERVICES
HON. C. MAIR BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LABOUR ADMINISTRATION
HON. JAMES M. RANKIN	MEMBER FOR TOURISM, AVIATION AND TRADE

ELECTED MEMBERS

MR. BALMAIN D. BANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. JOHN GALSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. KATHLEEN E. EVANS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SAVANNA ELECTORAL DISTRICT OF NORTH SIDE
MISS ANNIN NOLDAE BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GRAND CAYMAN
CAPT. F.P. WARNOTTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. JOHN McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END.

ORDERS OF THE DAY

FIFTH DAY

TUESDAY, 21st NOVEMBER, 1978

1. DEBATE ON FINANCIAL STATEMENT (APPROPRIATION (1979) LAW, 1979) CONTINUED.

2. The Customs (Amendment) (No.2) Law, 1978 - FIRST AND SECOND READINGS.

The Petroleum Handling and Storage (Amendment) Law, 1978 - COMMITTEE THEREON.

The Agricultural and Industrial Aid Law, 1978 - COMMITTEE THEREON.

The Land Holding Companies Shares Transfer Tax (Amendment) (No.3) Law, 1978 - COMMITTEE THEREON

The Traffic (Amendment) Law, 1978 - COMMITTEE THEREON.

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TUESDAY 21st September, 1976

MR. PRESIDENT: Proceedings are resumed.

CONTINUATION OF DEBATE ON FINANCIAL STATEMENT

HON. JAMES M. BODDEN: Mr. President, yesterday evening I had gotten to a part of the debate which dealt with the introduction of the new domestic fire service. It is projected, I don't remember whether I dealt with the figures on it yesterday evening or not, but it is projected that the capital cost initially will be a hundred and fifty-four thousand dollars. The recurrent cost for the increase in staff etc. will amount to forty-one thousand. Several establishments have offered to assist in the capital cost.

I received a summary here from the Honourable Member in charge of Communications and Works, which details the amount of insurance companies handling general insurance that operate in the Island. It appears that there is a total of ten of them. We have contacted these various companies, because it would be beneficial to them to have a domestic fire service in regards to the probable claims that they might have to pay. Unfortunately at this point there are only two of the ten who have replied, and these two are probably not the two largest in the Island either. Both of these companies have volunteered to assist with a contribution of ten thousand dollars each. The Cayman Islands Chamber of Commerce has agreed to contribute five thousand dollars. That makes a total of twenty five thousand dollars towards contributions. We have budgeted in the hope that we will receive seventy five thousand dollars, so it means at this point that there is a shortfall of fifty thousand dollars, with eight insurance companies still yet to report as to whether they will assist. We can only hope that these people will have the generosity in their hearts to realize the amount of good that a domestic fire service could do in this country, how it would help to decrease the claims that they have to pay and also how it could decrease the cost of insurance to the average home owner and businessman.

A lot of money is derived in the Island in various forms today in regards to insurance. At the present time there is consideration to the adoption of a new law in regards to insurance, it is under study and it will probably shortly come to this House. I am not about today to speak on the pros and cons of that particular bill, but it is probably necessary that we do regulate some of the activities of the insurance companies. I for one will be very happy to see the establishment of a domestic fire centre, because I know and gain realize the numerous amount of benefits that can accrue to it. And I feel certain that once we give our firemen the equipment that they will do a good job. I have found them to be very helpful, very professional and very much dedicated to their jobs.

There is one area of the budget, Mr. President, no one yet has touched on and I feel that it is necessary that something be said. I know, and quite agree that it's a portfolio that does not come under the Elected Members, but it is still a part of the budget, it still requires a lot of money, and I intend to say a few words in regards to the Police. In speaking with many of the Members of this House, and in speaking to the public at large, I find that people are worried in many areas considering the work that is being done as being inadequate. We have a very large Police Force, when we stop and consider the size of our country. There is probably no other place of its size and with the amount of population that we have that has as large a police force as this country does. We boast of being crime free, but how true is that boast, and I believe that we should be able to expect more return for the money that is spent for the employment of so many people. I do not know whether it is because of the lack of training, whether it's because of the lack of professionalism of the officers, or just where the trouble lies. But it

HON. JAMES H. HOUSE(CONTINUING)that it seems to me that we are getting too many cases thrown out of court, because of inadequate information supplied by the police department and the amassing of evidence that cannot stand up under scrutiny. We are finding that many cases that should go to court apparently cannot go because the evidence has not been put together correctly; and there have been too many appellate for technicalities. The blame for this has to lie somewhere, and I think it is time that we scrutinize it and see where the blame is, and at whose feet we must lay it.

We continue to get a lot of drug cases going before the court, but the problem is, and if I may quote a phrase used in the United States, which I do not think should be used here; in most cases Mr. President, is what we would call the "sufferers", that appear in court. It is the lessee of the house, it is not the branches or the ones that are ever being brought before the courts. There are too much flagrant violations in this respect, and I cannot understand why, with a hundred and ten police in a country this small, where nearly everyone is known, why we cannot get to the branches and the root, why must these people flaunt the law the way they do.

Just this past week I had a very good friend of mine at the airport, an American fellow, came to me and said, 'don't you people realize such and such a person in such and such an area, what's going on?' I said, 'yes, I've had my double for a long time;' he said, 'but what is the police doing about it', he said, 'it's open, you're being solicited.' Yet when we bring it to the police, Sir, we get some very funny stories. It is time that this be corrected, we have talked about it in this House from 1972, and we have not really attacked this problem yet, and it will never come to a conclusion so long as we are trying to do it with some of the stuff that we have now. People have to have a certain knack in order to perform undercover work, and these are the type of people that we need to employ. I have that this coming year will see an increase in police activity in this area, regardless of the money that it costs.

Mr. President, again I have to speak in regards to the police help in the enforcement of the Liquor Law. In most cases we may as well never have a law on the books, because we are getting laughed to scorn for what goes on. The members of the Liquor Board catch hell from the public for the least little thing that they may do that everybody does not agree with, but then when it comes down to what is the teeth of the law, prosecution and enforcement, that is lacking. We have had committee meetings with the head of police on several occasions, Mr. President, all the members of the Liquor Board and when we bring to his attention the things that we know are going on everyone in this House would crack their sides with laughter this morning if I was to tell them the answers that he gives us. This is not good enough, these violations are very flagrant. Nearly everyone in the country knows it is going on, and Mr. President, if he cannot enforce that law let us put it under the Customs Department or the Immigration or something else but let us get enforcement.

Mr. President, another item that I am going to venture on that I know is not a popular one, but yet I must speak my conscience. I believe that the best thing that can ever happen to a human being is to look themselves in the face in the morning in the mirror, and know that they have performed their duty to themselves, to their family and to their country, and I stand very much in that belief, and I have discussed it in the House before, I have discussed it in numerous committee meetings and I have put pen to paper on this subject on many occasions. But in the budget this year there is a figure of $477,500 allocated under Head 8 for gratuity to contracted officers. This figure, instead of decreasing, increases, tremendously, every year and as I said in my speech yesterday, I believe that every man is worthy of his hire but I feel that it is unnecessary for us to continue to give these added incentives in a country such as this. I will agree with anyone that our cost of living is probably ten to fifteen per cent more than any the United States but then, how are we going to square this when a local person is working at $200 a month and waiting until he gets fifty-five to

HON. JAMES M. MCCOY(CONTINUING) retire to get his pension benefits and we have a man working alongside of him with equal qualifications and as I showed to this House yesterday with the added benefits it is nearly double the amount. This is certainly going to cause trouble in the future and I know that we locally, in many areas do not have the expertise and still have to depend on contracted officers but I still feel that a different policy should be set ... to where it is not the twenty-five per cent gratuity and I feel again that once that is equitably done there would then be no reason for our own local officers to go on contract. They could then go on the pensionable scheme, and in the long term it would cost the Government a lot less money than it is now. I do not know whether this is correct, but I found that in a recent application for eighteen jobs, I think it was, in a certain department, there were two hundred applications. So there is no shortage of people that are willing to come to the Cayman Islands to work and I feel that we should not have to give this amount of added benefits in order to attract them. I have put out in the past the same arguments to the bankers. Why suffer ten per cent withheld to Ottawa money when if the person had that money in the United States or whichever country it usually is it is more or less dead money to him. He cannot use it because the income tax people are going to be down on his throat and if he puts it into the bank he is probably going to get five per cent interest or he puts it into government bond maybe six per cent so why do we have to pay ten per cent to attract it here when it is not used in the local community. I put a similar argument to both of those.

I think that the Members will agree that we have adequately covered most areas of concern for the present year in the projected budget that is before the House. The Members have received information on this, it has been discussed and there are probably a few areas that we can trim a bit or add a bit or maybe a few more items that can go in, but by and large I see but very little change to the Budget that has been presented. Every area of concern, I think, has already been looked into. It is not a Budget that is contemplating the building of monuments. We cannot do that. But what we are trying to do in the projected Budget before the House is to take care of as many ills of the country as we can and those ills are mainly in the fields of education, health, social services and so forth, because these are the things that affect the day to day person on the street and we must pay attention to them. I am proud that we have been able to present this type of Budget. Looking back probably fifty years everyone of our ancestors would turn in their graves if they thought it was possible for this country to budget in one year for twenty million dollars considering the small amount ... it was only thirty, only twenty-five years ago. The country has come a long way, a lot of people have helped bring it to that stage and it is incumbent on each and everyone of us, not just in the House, but as people of this country to ensure that we keep this country on the same course that it is today; that we each put our shoulder to the wheel and that none of us ever shirks our responsibility. That is why I have pressed so hard in this speech about the performance of the Civil Service and the performance of workers in general. I consider myself dedicated to my work and I feel that every human being should so be. I feel that if a person is not contented in his job then leave it, because the only thing you can get is aloure and discontent and make other people discontented. But for God's sake, and I appeal to the Island as a whole and every person in this Island that works, if you accept a job to do, do it to the best of your ability. I would like, Mr. President, to thank every Member of this House for their support this past year, for the manner in which we have all been able to work together under a common cause with unity. It is somethingthat each and every Member of this House can be very proud of. That although we may occasionally differ on minor points, there has never been and I hope there will never be, at least for the next two years, any major disagreement among the Members. I think, again, that this attitude that has been displayed here when people from abroad view it, it is difficult for them to believe that it exists because they are used to a lot of infighting in the Parliaments of their own countries; so we have a lot to be justly proud of here.

HON. JAMES M. HODGES (CONTINUING)

Mr. President, I would like to give a big vote of thanks for the co-operation that we have gotten from the Financial Secretary. Again, there have been times when we have differed but it has been very few times and we have always been able to work it like man and I feel this man is very dedicated to his work. He has done a tremendous job for this country for many years and he is going to be a difficult man to replace whenever that time comes and I can assure him that he and I will probably have some differences in the future but by and large, as long as I stay in this House he will have my support.

Mr. President, I thank you very much for listening to my long-winded discussion but I put it forward in the hope that these points can bring our people closer together and have all of us work for the common good in a Government that is stable and productive.

Mr. President, I do hope, as I said once before, in my speech, that your away will be extended and that you will be able to listen to the Members of this House including my colleague from Bodden Town and myself who are prone to these long speeches that you will be able to listen to a lot more of them. Thank you, Sir.

HON. V.H. FOSTER Mr. President, sitting here the last few days I have heard many good things and many things not so good, but Mr. President, it has given me a great pleasure and joy to hear the compliments from all the speakers to my colleague on his Budget Address.

Mr. President, I believe that I would be safe in saying that probably the presentation of the Budget Address and the delivering of it or the presentation of it could be regarded as maybe the easiest part of the whole thing and at this stage I would join with the other speakers in complimenting my colleague for the Address and the able way in which he presented it. But I would like to go a step further by saying that over the years on this year I am sure the hard part of the whole thing has been guiding the Department's revenue earning departments and then controlling expenditure. This is where I would especially like to pay especial tribute to my colleague because had it not been the perseverance all through the year our position would not have been so healthy now.

Mr. President, we are glad that we have not had to increase any new tax measure and that we have been able to drop the duty on a few items. Mr. President, any country, Sir, that has to bring in new tax measures every year is in trouble. There are two things that a lot of the major countries shun clear of is new tax measures and loading their books with new taxes, and I think we have done well in these two areas for the last few years and I hope that we will not have to do anything measures for a long time to come and I think, Sir, if this House chose their priorities and put them in the right places and spend our money carefully we will be in this healthy position for a long time.

Mr. President, I think it was the Member from East but that mentioned whispers. Today I am pleased to say that yesterday evening I got a letter from the Consul General in Kingston and I would like to read this paragraph from the letter. It says:-

> "I came away from Georgetown very pleased with my visit, both from a professional and personal point of view. We intend to do a better job at carrying out our consular responsibilities to the Grand Cayman and do appreciate the great assistance provided to us by you and the various members of your staff. The next consular visit will be during the second week of December when Consular James Carter will visit Georgetown. He will be in touch with you a little later concerning specific dates of the visit. As Mr. Carter is an expert on emigration matters individuals with such interest will find his visit of particular interest.

HON. D. E. FOSTER (CONTINUING):

"In accordance with our discussion the following Consul visit will be two months later; during the middle of February. Subsequently, we plan to have a Consul officer visit Georgetown at least every other month."

So, Mr. President, we have been conscious of this problem and we have been negotiating with them and I will go a step further; he has ordered a machine that he will be able to bring down here and do the vision right here. So, I can assure the Member from West End that this item has not been neglected and it is on the road to great improvement.

Mr. President, I think it was the Member from West Bay that mentioned television. I am in hope, Sir, that within the next two weeks or so we will be able to give a public statement on this subject.

Now, Mr. President, I think it is my duty to defend the Civil Service, but in this case I think the most I really have to do is some clarification. Mention was made, Mr. President, of Principal Secretaries and senior members of Government discouraging the training of younger people. Mr. President, this is not so, Sir, but let me put it this way, we have been very unfortunate recently with the people that we have been training. Because a lot of them have deserted us, but they come back with a degree and they want to start at the top of the ladder and with all the privileges that go with it. Mr. President - a person going to university and coming back with a degree has got forty per cent of the whole thing, Sir. He has got a license then to learn. The other sixty per cent is in his practical work, the job, etc., and he must stay years to gain it and to get the experience. If he does not want to get it here, like many of them do, well then go abroad and get it and then you come back with the full knowledge, the theory and the practical part of it. But nobody coming back with just a degree can go and sit behind a desk and do that job properly without the practical experience. Now, Mr. President, sometimes when they come back immediately the grass on the other side of the fence looks greener, so they promptly themselves out of their bond, pay it off or something. Mr. President, mention was made of a particular young fellow in the Public Works Department. This young fellow was given a scholarship, Sir, returned and he was given the going salary in the post which he was not satisfied with, so immediately his work became unsatisfactory and he was allowed to resign. That is some of the results of training, Sir. Mention was made of a dental assistant that went on for further training and on separate get in her place. This is quite true, Mr. President, on separate was put in her place and because of her qualifications she was given three increments higher but immediately a local trainee was taken on who will eventually replace the present one or stay till the girl has gone on training returns.

Mr. President, one thing that bothers me, Sir, is that reference was made to the people who were in court and their judgments were different. Mr. President, this country is in trouble anytime we challenge our judicial system, Sir. We cannot attempt to query the verdict of a jury or the judgment of a judge or magistrate. That is our failing. We are one of the few countries that has been able to maintain a good judicial system and we cannot afford to undermine it by interfering. I do not think there is one person in this whole Government, including you, Mr. President, that can really interfere to a certain set out to that depth in our judicial system. I would say that we appoint our learned judges, magistrates and so on, let us leave them. There is a process when a person is not satisfied with their judgment; there is a process for it to be handled and I think that is the correct way.

That brings me, Mr. President, to the airport incident. Let me assure Members there is a process on our books, the Public Service Commission Law and Regulations, for this to be dealt with and that is the process it will take and I have every confidence in our Public Service Commission. They are a set of what I would term, Mr. President, completely

HON. D. K. MONTAGUE(CONTINUED) ordinary people led by my predecessor in whom I have a lot of confidence and all the Members of this House know him. I am sure that the incident will be dealt with in the proper manner, Sir.

Now, Mr. President, deputy immigration officer. Mention has been made of this. This is my subject and I think I must make a comment here. It is easy for me to put a body in that position. We could do it tomorrow morning, but as it has been said and voiced here in this country the Immigration Department is a key department for the future of our whole country and we cannot just pick up a body and put there. We must get a person that is worthy and able and that will be able to do the job properly and it is not easy to find people like that, Sir. If we have plenty qualified and well educated Caymanians, but the majority of them are in the private sector. They are getting a lot more salary and everything else and we cannot entice them to come to these jobs but let me assure Members that every effort is going to be made in the very near future and we will try to pick the best person that we can find.

Now, Sir, to the Civil Service. Mr. President, the increase of twenty five per-cent asked for by the Civil Service Association was not completely unjustified and let me clarify that. Their calculation was based on cost of living increase from 1974. Whereas, Mr. President, our calculation was based from 1978 because there were a couple of increases in between and this is where the hassle has come between ourselves and the committee and we will not give in and they will not give in but they have made a good case. I must say that I am in a very funny position because I am a Civil Servant myself but I must admit I cannot fully support their claim and if you work it the way we have worked it from 1978 you would see that the entitlement would be around 12.2 per cent.

Now, Mr. President, the Fourth Elected Member from Bodden Town Council listed one hundred and thirty four achievements for the last two years which are all correct. I agree with them but Mr. President, without a good Civil Service, a hardworking Civil Service, I am sure all of these would not have been achieved and the performance of the Civil Service has been questioned and Mr. President, I do not agree with it, Sir. We know, or I know we have some dead heads in the Civil Service, I also know that every businessman in town has dead heads in his business and I can go a little further, Mr. President, every family has a dead head in it, so it is nothing out of the ordinary for us to have some dead wood or whatever you want to call them the Civil Service. But it takes time and it will be worked out eventually but in support of the Civil Service, Mr. I must say that I have never seen the Civil Service work as hard as they have for the last two years because the work has just been there. I think I am safe in saying the Elected Members have not sat down and they have created plenty of work and they have gone ahead and they have succeeded but, Mr. President, their success is purely due to the Civil Service. In a similar way, Mr. President, that one could easily say that the success that this country has had this year is not only due to the Financial Secretary and all that he has performed so nicely but I would tend to sugn agree to what the Second Member of Executive Council said, the credit can be attributed to everybody, the Members, the Civil Servants, the Members of the House and everybody and this is how it should be, Mr. President. So, I cannot really accept the fact that it looks like the Civil Service is the only people outside not doing a thing. Mr. President, the Civil Service services the whole private sector, they could not operate one week without us for everything nearly that the private sector has to do it has to come through the Civil Service, one department or the other and Mr. President, if the Civil Service was not doing their job properly you would not have this revenue, you would not have your money spent properly, so I feel, Mr. President, that is not altogether correct that the Civil Service should be condemned in the way it has been.

Mr. President, we have a little unfortunate situation with the Chief Accountant. In the review that was done earlier on this year, whereby people were being paid for jobs that they performed and which needed to be done badly he got an increase and just about the same time or a little before he became president of the Civil Service Association. Mr. President, all of us have had a shot as president of that association, I know

HON. D. E. FOSTER (CONTINUED): and I am sure that Mr. Johnson has and many others. So, when he signs a letter and puts it forward, it is not his name, Sir, it is the view of the management committee and therefore, I do not think that we can put direct blame on the Chief Accountant whatsoever, Sir. As far as I am concerned he is a person that I hold in great esteem and he is doing a good job and I cannot blame him for putting forward the views of his management committee. Many of us find ourselves at times in places or in committees or hoping to do jobs that we really do not like to do, some of them are unpleasant but we have to do them.

Mr. President, what I would ask Members of the House, Sir, when they go into Finance Committee they can deliberate this matter of the 8. arise increase with the Honourable Financial Secretary and if they are fit they can give consideration to a little better increase than the ten per cent. Mind you Mr. President, I am not being ungrateful, Sir, and if the way is not clear or they do not see fit, fine enough, but I think Sir, that consideration must be given to the Civil Service, especially to people who have made it their whole career, their whole life has been devoted to it, they have nothing else to look forward to afterwards, most of them retire and die shortly after anyhow and I think a great consideration should be given.

Mr. President, there is no need for any fight or anything between the Civil Service and either the Members of Executive Council or the Members of the House, Sir, as one team, Sir to work together and we are here to support the politicians and to carry out their policies that have been formulated and approved and so on and I have every reason to believe, Sir, that the Civil Servants or the Civil Service, will continue to do its part.

Mention was made about promotions on a merit system. Mr. President, this is exactly how it works now, Sir. If a person does not merit promotion, they do not get it. If there is a job available in the Service, people in the Service are asked to submit their applications for it. If there are recommendations that are attached to their applications and so on and so forth and their past record warrants it they will get promotion to the job, Sir. If nobody suitable comes up for the job, then it is advertised outside, but certainly, Sir, a good person's work shows and you cannot keep a good person down and do not tell me that our Public Service Commission, Sir are going to promote people into jobs that are not deserving of it and of course, you have those dead ones that have had to sit there for years and that will eventually go or they will never move from there. So, Mr. President, I think the merit system is definitely in action and has been and, I do not think there should be any worrying by the Members of the House about the Civil Service and their performance. I think they will certainly perform.

Mr. President, mention was made by the Member from Georgetown about his meeting with Government and the person that replaced him. Mr. President, the young man that replaced him was recommended by an U.N.D.P. Adviser who worked here in the Public Works Department for one year and that young man was promoted to Mechanical Supervisor. He was later sent to the United Kingdom on a six months course in which he did well and after that, sent to Cayman Brac to do the job on the airport which, Mr. President, has been done, and done well, bearing in mind that all the mechanical people stay over here and only occasional visits over there. Later, Mr. President, the young man was sent to St. Lucia to get experience with identical equipment that are being used over there and, Mr. President, he has done the roads with that equipment and is doing them now and I was up there about two weeks ago, Mr. President, and the work that is being done on the road there is comparable to what is done here. So, Mr. President, I compliment that young man and he has stuck with us, Sir.

Mr. President, I notice and I feel that I should mention, Sir, that we have a new Acting Deputy Clerk who sat here the first few days with us and I would like to take this opportunity to welcome her here. I hope she finds everything satisfactory and that she will make a good Deputy Clerk in the future, Sir.

Mr. President, in closing I would just repeat what many of the other Members have said, that is that we have been

HON.P.A.ROBERTS(CONTINUED): beyond these last few years. Let us continue to work together. I, at this time, Sir, pledge my Civil Services' loyalty to the Members of the House and if we put our priorities on the right plane and be cautious with how we spend our money I think we will have many successful years. Right now, Sir, I feel that we are virtually the envy of the Caribbean . Let us confirm that, let us continue to work together for the best cause and I think that we will all be very happy and that we will all gain by it and we will have Islands that we can be proud of and proud to live in. Mr. President, I thank you very much.

HON. D.T.DANIEL: Mr. President, Sir, my contribution to this debate will of necessity be a very modest one. Happily, little was said in the speeches of other Honourable Members that calls upon me to defend, qualify or explain. What little I might have talked about has already been covered by my friend, the First Official Member. But I would not like this opportunity to pass without taking the opportunity to congratulate my colleague on his admirable Budget. As the First Official Member said, it reflects the hard work, the hard efforts and abilities of all members of the Government and of the Civil Service. But to me, Sir, as a guest in these beautiful Islands the budget reflects something else. It reflects the spirit of the people of these Islands in so far as it underlines the ethic of self-sufficiency, the belief which these people have in the work ethic and belief in God and in the fact that only on self-sufficiency when one is enhanced by their own work and their own efforts can a free and democratic society really survive in this troubled world. The Budget sets out to balance; it sets no one fine hamburger; it looks beyond the shores only insofar as is necessary to compliment what these Islands have been given by nature and I feel that I am proud to be associated with it even in this small capacity, Sir.

HON. V.S.JOHNSON: Mr. President, Honourable Members, it is very seldom that one can recall that fifteen Members of this Honourable House debated a subject. It is now my pleasure to reply to the Budget Address but before doing so I would like to just share with you, Mr. President, a story I heard about replies. The story was that there was once a maiden who was feeling very romantic and to such an extent, that she decided to put a notice in a newspaper advertising for someone who would fill her life with light and warmth. Somewhile afterwards a friend asked her if she had received any replies and she very reluctantly said, yes, she had two replies, from an electric light company and one from a gas company. Mr. President, I gave the story more or less to say that it was a pleasant surprise that no mention was made of our local electric light company or gas company in this long debate on the Budget. It is perhaps the first time that no such mention has been made of the electric light company.

I am most grateful, Mr. President, to all the Honourable Members who debated the Budget Address for the fine compliments extended to me. I am also very grateful to Members on the Government bench who spoke and clarified many points raised by other Members arising out of the debate. Before going on to comment on a few of the more important issues in the debate I too, would like to re- emphasize the fact that the successes of this Government financially and otherwise, are not always the achievement of one individual or one group of individuals, rather it is the combined efforts of a large group beginning with His Excellency, the Governor, the Executive Council, this Honourable House, the Civil Service and individuals of the private sector who help in many, many ways. Each forms an integral part of the machinery which paves the road to success. Speaking of success, Mr. President, Benjamin Franklin's secret to success was this; speak ill of no man and speak all the good you know of everybody. I should also mention that the two most important sectors of the local economy are tourism and finance. These have got to be administered very carefully and very cautiously at all times because if they are allowed to weaken in any way this could mean financial difficulties for the country. Tourism has done very well over the years. It is presently in the hands of a man who is known to be full of initiative and one who plays an exciting game of his tennis. I agree with the statement of the Lady Member for West Bay when she said that all Members of Government work hard but there is a little more to be said of the Fourth Elected Member for Executive Council.

HON. V.H. JOHNSON (CONTINUING)

I would like, Mr. President, to say a few words too, on the points made by the First Speaker in this debate, the Second Elected Member for Georgetown. Mr. Smith spoke on three main areas, the Civil Service, public complaints and the draft estimates for 1979. Quite frankly, the three could have been merged in one because they all centered more or less on communication and complaints in one way or another, largely between the Civil Service and the Public.

Numerous men said that we now face a situation where the world is entering a period of exceptional turbulence in human affairs. I should not doubt, Mr. President, that the statement is true, because one only needs to tune his radio each day to the news of the world to confirm this fact. I have no doubt, too, Mr. President, that the statement could apply to Cayman. But since we are known to be such a friendly people the question is, what could have caused that state of affairs to exist in the Cayman Islands. Any ills that could cause an erosion of the local social environment must cause concern and such a situation should not be allowed to spread roots. Otherwise, the good health of our thriving economy could be endangered and eventually cause the assets of the country which we prize and cherish so much to lose its values and I refer, Mr. President, to stability and the friendliness or the friendly atmosphere which exists here. I believe, Mr. President, that erosion in the social environment is in fact happening in this country whether we want to believe it or not. Changes in the attitudes of people are becoming noticeable. It is noticeable in high places, it is noticeable in the Civil Service, and it is noticeable in the private sector. The attitude to which I refer is of course found especially in countries where the economy is foreign oriented, where there is an influx of foreign nationals who take with them their habits or their domestic habits. They settle in a new environment and in time their indifferent attitudes are instilled in the country and so we find that gradually the society transforms from one form to another. As I said before, there is reason to believe that such change is taking place here. If that is so, I am afraid that it is going to breed resentment and it is going to create unpleasantness. Cayman is a small country and its small society should be knitted closely together. Our attitudes to others whether it is to Civil Service, whether it is to the public, whether it is to visitors or whether it is to expatriates, should at all times be cordial. It is only then that we can truly boast of the friendliness of the Cayman Islands.

Release of import duty on food stuffs.

Mr. President, the Honourable First Elected Member for Cayman Brac stated that people, the people of Cayman Brac would not benefit from the removal of duty on salt beef because the people of Cayman Brac do not eat salt beef. There are peculiarities between the people of Cayman Brac and the people of Grand Cayman. For instance, the people of Cayman Brac like hawksbill turtle but we prefer the green turtle. They like other things that we do not like and vice versa. However, in Grand Cayman, the salt beef is quite the popular local dish and the poorer homes and I, myself, like it very much. About twenty four thousand pounds of salt beef is imported annually and the removal of duty is therefore thought to be a generous consideration to the majority of the poorer people. As the Second Elected Member of Council stated Government had considered other items as well and the total of all those items would have resulted in a loss of revenue to the extent of $150,000 and that would have put the Budget in a deficit. So it was decided to recommend those items where there would be a loss of only $40,000 in revenue. Unfortunately, we have not yet adjusted the accounts for that $40,000 because the decision was just made after the draft estimates were completed. However, we should bear in mind that the balance, the surplus revenue balance, shown at the end of 1979 should be less $40,000. I should say, Mr. President, that regardless of what the effects of this action to remove duty on these three items may be on any individual family or families, I refer, perhaps to those in Cayman Brac, we should view the proposal as a generous consideration by Government on behalf of especially the poorer people of the Cayman Islands.

HON. V.G.JOHNSON(CONTINUING)

Surpluses. A Member rightly observed that a surplus revenue balance should go to a reserve account and not left as balances where it can easily be available for use. Mr. President, it is only at the end of each financial year of operation that the surplus balance can be determined. Members will recall that the end of 1977 the accounts ended with a deficit of $526,277 which meant that during that time Government had to borrow money or operate on overdraft account at the bank in order to supplement the cash flow. The position at the end of 1978 is that there will be a surplus of $847,268 but nearly all of this will be used to supplement revenue in 1979. Therefore, it serves no purpose to place this sum in a reserve account, for it is going to be used. It is not yet known what the position will be at the end of 1979 and until such time no money will be available to be put to reserve, so that is the position as far as surplus revenue balance is concerned. I should tell Members, however, that during the course of a year's operation, when there is surplus cash on hand, every attempt is made to invest these funds to the best advantage. For instance, in 1978 when there was a good bit of cash on hand, these sums were invested and income from this source will amount to $80,000 for the year. So whatever amount of money or surplus of money that is on hand it is constantly put to work.

Highschool tuition fees. There are strong views about the growing cost of education which is face in the entire Government school system. Besides this, Government provides large sums of money to assist in scholarships for higher education. It is a good thing for Government to pave the way in education especially at a time when appraisal of finances necessary to encourage technical and academic training. However, as time goes on it becomes necessary for the community to make a contribution to the cost of education because the financial strain on Government becomes burdensome. At this particular junction thought is being to the possibility of introducing a charge for tuition of the Secondary School. This charge will apply mainly to foreign students. Questions have been raised on the point why differentiate between local and foreign students. If we examine this carefully it will be seen that Cayman is not setting a precedence in this respect because State controlled educational institutions in Britain and other countries set two rates of tuition fees. The higher rate is for foreign students and I have had personal experience of this. The establishment of free education in the Government school system here in the first instance was intended for local students but in the days when there were only a few foreign students there were no objections to all enjoying the free service. However, numbers and costs have increased since then and it is now time to examine the fee as part of the new education programme. I hope that if there is to be a tuition fee charged against foreign students that this will be taken in the same spirit that we pay a larger fee for our children in foreign countries. The education regulation making this provision will need to define foreign students.

The Civil Service salary has been largely debated. At page thirty-one of the Budget Address, I mentioned that Government was proposing to award a ten per cent increase in salary to the Civil Service in 1979. I understand that the Civil Service Association has rejected this in a letter of the 19th November to the Honourable Chief Secretary and that they are still pressing for a twenty-five per cent increase. Mr. President, it appears that the Association is somewhat misinformed regarding their claim for a twenty-five per cent increase. An increase in salary to commensurate for the rise in cost of living. The problem seems to stem from the fact that the Association is using January 1974 as the point from which cost of living is calculated or assessed. January 1974 was of course the year of the big wage increase averaging fifty-three per cent. But since 1974 there have been two further awards of salary. A ten percent in 1976 and eleven per cent in 1977. The last award was considered or calculated on the basis of the rise in the cost of living index as of July 1976. Although the consideration which was given to the Civil Service at that time might not have been equivalent to the rise in the cost of living index as at July 1976 and mainly for the reason that funds were not available in 1977 for a greater increase and secondly, salary in the Service at that time was considered reasonable

HON. V.C.JOHNSON(CONTINUING) because it was a recession period with inflation ...ting to a low five per cent average per annum. The Civil Service accepted this with no reservation or comment and so the compromise of an eleven per cent increase in salary in April 1977 for a situation that existed in July 1976 was accepted. Therefore, Government's obligation for salary was matched up to July 1976. Now, Government, contends that the rise in the cost of living since July 1976 to the latest calculation available which is July 1978, two years, is equivalent to 23.8% growth. Now this figure could reach fifteen per cent by January 1979, but what the actual position will be in January 1979 is not known. This is just an estimated position. It is usual to have an increase in salary on actual cost of living figures. Now, the Civil Service Association calculated that from January 1976 to January 1978 the rise was 60.36%. Which is correct. From this they deducted the ten per cent and eleven per cent paid in 1976 and 1977 leaving 19.36% and stated that by January 1979 the figure would reach twenty-four per cent. This by the Civil Service standard or method of calculation would be correct as well, but as I said before, Government's calculation was based up from July 1976 and not from January 1976 and if we are going to assume that and we are going to accept that we calculate the growth over the two years from July 1976 to July 1978 than the increase in cost of living is only 12.2%.

The Government has therefore decided to offer a ten per cent increase in salary based on this calculation and of course the Civil Service is not accepting this. I think it is a matter that will have to be further discussed in Finance Committee. In my many years in the Service this is, I believe, only the second occasion that I have known the Civil Service Association to make such a demand on Government for a salaries increase. The first was many years ago when the Assembly was reluctant to consider salary and the Association had to prepare and put forward a case with the assistance of the President of the Jamaica Civil Service Association. On this occasion, of course, the Civil Service Association is doing it all by themselves and of course they have come up with this grand figure of twenty five per cent and they have stuck to this very loyally. I do think, Mr. President, that there are other problems in the Civil Service apart from salary. Salary is perhaps only coming in the foreground, but I hope that if there are other dissatisfactions and other problems that these can be resolved amicably. During the course of the debate Members on the Government side.....

MR. PRESIDENT:

Could the Honourable Member pause a minute because we have run out of tape!

HON. V.C.JOHNSON:

Yes, Sir.

(TAPE CHANGED)

HON. V.C.JOHNSON (CONTINUING) Mr. President, I think I was saying just before the tape ran out that some members on the Government Bench referred to an exercise in Government July this year where there was a job evaluation that this was an increase in salaries and one referred to it as a regrading. It was really not a general increase in salaries, it was a job evaluation exercise where certain posts were upgraded and where it was desirable to re-establish an acceptable ratio between the lower and the higher salaries. The benefits of that exercise did not extend to the entire service - one Department especially received a large portion of the benefits, that is the monetary benefits from the exercise and it was largely to people in the senior brackets where senior posts were up-graded. That exercise, Mr. President, cost approximately $850,000 per annum. The recommendation for 1979 to increase salaries by 10% will cost

HON. V. O. JOHNSON (CONTINUING): $500,000. So by 1978 monies over the two years would have risen by $440,000.

As I said before, any increase beyond 10% is likely to be very inflationary because when we go around town talking about a 25% increase it immediately becomes a sing-song in all the institutions around town - it incites staff in other institutions to think that they too, are entitled to a 25% increase and eventually it would create a lot of problems and eventually it could create inflation for the country. I hope therefore that Civil Servants will look at this very carefully and whatever the decision of Government may be, that it is accepted by them.

The First Elected Member for West Bay spoke of the need to have Coast Guard boats to patrol the coastal waters of the Cayman Islands. Well, Mr.President, I think it is a good idea, however, I think we have to also consider the cost involved in operating two such boats and secondly, we have to think as well of the effectiveness of such a service. Government has already approached the United States Government through London of the possibility of a donation of a boat for the purpose. The matter has not yet been resolved, as far as I know.

Garbage Collection. The Member for East End mentioned that garbage collection and the fee were causing some problem with residents in his area. We have had quite a number of requests for exemption under the Garbage Collection Law. The Law requires that all homes in a garbage collection area pay a fee. This has really nothing to do with whether the garbage is collected or not. The garbage is not collected then the Government is sued but the fee is another matter, it is paid, whether or not.

Year after year, Mr.President, we are faced with the same problem, many fail come forward to pay the fee and so large numbers of notices have to be sent out to those in arrears. We cannot divert from the provisions of the Law and so everybody is treated alike. If someone arranges his own disposal and feels justified in doing so, then there is a procedure under the law to follow and to seek exemption, but exemption is really not automatic. The garbage collection service is now subsidized by Government, therefore, I think all those people enjoying the service should endeavour to pay for it. The fee, as small as it is, is $12 per annum, $1 a month and I think there is need to increase this fee.

Someone mentioned, Mr.President, that the North Side farming project was doing well and that it should have received mention along with the two other projects in West Bay and East End - I apologize for this omission.

The Mortgage Scheme by Caribbean Development Bank was mentioned by the Fourth Elected Member of Executive Council and thought that this should be a scheme operated by Government. In the early stages when Caribbean Development Bank was introducing the scheme to the Cayman Islands, we, of course, attempted to have it operated by the Government Savings Bank but Caribbean Development Bank would not agree to this. They thought that it should be administered by a commercial bank because in fact there was quite a lot involved in the examination and approval of a mortgage under this scheme and they thought that the commercial bank was better suited to undertake the work than the Government Savings Bank, and it was a decision of Caribbean Development Bank to have this scheme placed with a local commercial bank. Perhaps if it be the desire of Government to switch the arrangement over to the Government Savings Bank, that an approach could be made to Caribbean Development Bank along this line. I doubt whether they will agree but, Mr.President, it is my own opinion that Government should perhaps not be so involved. Mortgage financing and the administration is not a simple task, especially when we are dealing with the low-cost housing scheme. I think it should be left to the

Sen.V.C.JOHNSON (CONTINUING): commercial bank , who will, in the first instance, have to put up the mortgage money. The money is not provided in the first instance by Caribbean Development Bank, but the bank only buys the mortgage after it is transmitted, completed and signed with the mortgagee, the money is paid and they are satisfied that everything is in order, then they buy the mortgage from the local banking institution. This is why it is termed a secondary mortgage scheme. It is my own personal view that we are perhaps better off leaving it with a commercial bank, rather than taking it on ourselves, because once it goes into Government's Department then you know the question of fairness and that sort of thing will seep into it as well.

Mention was also made by the same Member, Mr.President, concerning gratuity to contracted officers. This, of course, has always been a questionable item in the Estimates and I think year by year we try to justify the reason why they are paid gratuity. When a person is employed in the Civil Service, he is either employed under contract arrangement or on pensionable terms, and the calculation of pension and gratuity will indicate that either system provides the same monetary consideration. One has no advantage over the other. If anything, I personally would prefer employment under a pensionable scheme, because at least at retirement I would be assured of retirement benefits. In the case of contract employment, the officer is being paid his gratuity, which is equivalent to pension benefits, at the end of each tour. A tour is perhaps two or three years and I should not doubt that in very few cases that that gratuity is touched away for the days of retirement. In other words, the officer will have no provide retirement benefits in years to come, whereas in the pensionable arrangement it is a different proposition. And as I said before, regardless of what or who you are, once you are employed in the service, the employment is either by contract or either by pensionable terms.

The amount that is shown in the estimates this time is there because the number of officers receiving gratuity is perhaps the greater number than those of the current year. It all depends on numbers, numbers cause a difference in figures.

By policy arrangement gratuity is to gradually decrease from the 25% down to 15% but the 15% mark will not be reached until 1980, I think. At the present time those who are entitled to gratuity are people entitled to 25%. Any appointment after the 1st of January, this year, would be paid gratuity of 20% and then anyone after 1979 reduces to 15%, so it reduces gradually and in time to come there is no doubt that the quantum of gratuity will reduce from the present sum. I doubt very much that we can do very much about it unless it is the policy of Government to offer employment without gratuity. I do not know whether people will be willing to accept this. They are accustomed now to be paid gratuity because everybody looks forward to some form of pension benefits in one form or another and whatever employment is being arranged it is either a gratuity or a pension benefit attached to it.I don't know whether it will be possible to employ people in the future with just basic salary and no gratuity.

Mr. President, I have no other points on which to comment. I want to therefore again thank Honourable Members for their very constructive debate on the Budget and I certainly look forward to meeting them in Finance Committee when we will examine together the proposed revenue and expenditure for 1979.

Mr.President, I would move that the Appropriation Law (1979) now, 1978 be referred to the Standing Finance Committee to be dealt with in the same manner as it would be dealt with by a committee of the whole House and I would propose that Finance Committee meet on Thursday morning at 9 o'clock.

QUESTION PUT: AGREED: BILL READ A SECOND TIME AND UNDER STANDING ORDER 68 (8) COMMITTED TO FINANCE COMMITTEE.

THE CUSTOMS (AMENDMENT) (NO.2) LAW,1978

CLERK: THE CUSTOMS (AMENDMENT) (NO.2) LAW,1978.

THE BILL WAS DEEMED TO HAVE BEEN READ A FIRST TIME AND SET DOWN FOR SECOND READING.

SECOND READING

CLERK: THE CUSTOMS (AMENDMENT) (NO.2)LAW,1978.

HON.V.H.JOSEPH: Mr.President, I beg to move the Second Reading of a law entitled The Customs (Amendment) (No.2) Law, 1978. Mr.President, the object and purpose of this law is to free from duty the importation of three commodities, salt beef, rice and evaporated milk. The debate on the Budget Address which has just ended made many mention of this particular item and I do not think that I need, at this stage, to make any further comment on the proposal as contained in the draft law, and I therefore proceed to recommend it to Members. It is an amendment to the First Schedule to the Customs Law, removing import duty from the three items. I do recommend the amendment law, Mr.President.

QUESTION PUT: AGREED: BILL GIVEN A SECOND READING.

THE PETROLEUM (HANDLING AND STORAGE) (AMENDMENT) LAW,1978

COMMITTEE STAGE

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED.

CLERK: CLAUSE 2. LAW 1 of 1978 AMENDED.

QUESTION PUT: AGREED: CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE PETROLEUM (HANDLING AND STORAGE LAW.

QUESTION PUT: TITLE PASSED.

THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1978

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED.

CLERK: CLAUSE 2 INTERPRETATION.

QUESTION PROPOSED:

MR. GEORGE SMITH: Mr.Chairman, it is just a matter of clarification by the A.G. possibly of the definition of "Caymanian means a person having Caymanian status". I am wondering, Sir, if a person being born here is considered a person of Caymanian status or is Caymanian status something granted to an individual?

HON. V.H.BARWICK: In this context, Mr. it refers to those persons who have status under the Caymanian Protection Law, people born here in certain circumstances, I think would be the short answer to the Honourable member's question, and it would include people who have been accorded Caymanian status.

MR. GEORGE SMITH: In other words it would be persons awarded plus.....

HON. D. R. BANWICK: Yes, plus Caymanians, people who are normally thought of as being Caymanians by reasons of their forebears, association with the Islands.

MR. GEORGE SMITH: It was just a matter of clarity because I am wondering whether that would not pose a technical problem later on.

HON. D.H.FOSTER: The Member has a good point, Sir. I understand, Sir, that people born here are Caymanians and they have status, irrespective but in some cases the Board does not claim this. In other words, if the Board has not actually granted you status, it would not apply here. And this is where the technicality could come in. But I think shortly it has got to be recognised that a person born here, whether born here 50 or 60 years ago and whether he came back or did not come back for all that time, is still a Caymanian by birth.

HON. TRUMAN BODDEN: I do not think that in practice this is going to be any problem, Sir, because anybody who is going to do agriculture here is going to be residing here and either born here or has been granted status and everybody who is born here is deemed to have status until they lose it in certain circumstances, one is lose through domicile or through being ordinarily resident or through losing British nationality and in practice I do not think that any problem will arise, because anybody who is going to farm here is going to be here.

HON. CLAIG BODDEN: Mr. Chairman, I wonder if we changed the word "means" to include if that would help, to say that "Caymanian" includes a person that has been given Caymanian status by the Board or some other means?

HON. D.A.BANWICK: Sir, I have been very rapidly through the Bill, and I am subject to correction from all sides, perhaps, but I can only find the word "Caymanian" used once, so that in other words the definition which has been allocated could only apply in one case and that is in clause 4 (2), the last word. So it is relevant only in relation to appointments to the Board, so far as I can see.

HON. D.H.FOSTER: If that is the case there should be no problem, Sir.

MR.CHAIRMAN: I think the Honourable Questioner's motive is simply to clarify whether "Caymanian" means "Caymanians and people of Caymanian status".

MR.GEORGE SMITH: What I am wondering about - according to our laws today, a person born is not necessarily a Caymanian and that person born here come back to this Island 15 or 20 years hence, would he automatically qualify under this Law?

HON. D. R. BANWICK: The Caymanian Protection Law deals with the question of who has Caymanian status as of right by reason of birth, by reason of parentage, as well as enabling the Board to persons who are not able to claim it as of right, and I think the definition in here is simply meant to cover both categories of persons, and I do not think it needs tampering with in relation to this particular law. The issues of who or who should not be Caymanians, of course, is

HON. D.H.HARWICK (CONTINUING): another and separate issue which is properly by an amendment to the Caymanian Protection Law, if it is required.

MR. GEORGE SMITH: If the A-G is happy with it, I am too.

HON. D.F.HARWICK: I think it is only used in that one place, I have been through it again as I have been talking, and I cannot find it again.

MR.HADDOCK EBANKS: Mr.Chairman, it does seem that on every issue of Caymanian status there is a question, it never seems to be resolved in any one place to say and thing to be justified, because I remember when dealing with this in its infancy, we spent two or three days with it and it just seems to be a question. So I do not know how it would work out in terms of Caymanian status but I suppose we will see when we get to it.

QUESTION PUT: AGREED: CLAUSE 2 PASSED.

CLERK: CLAUSE 3 ESTABLISHMENT OF DEVELOPMENT BOARD.

QUESTION PROPOSED:

CAPT. K.P.TIBBETTS. Mr.Chairman, I am wondering if that would not cause a conflict. I am sure you are well aware that the Planning Board in Cayman here is called the Development Control Board and this is called the Development Board. There could be some problem arising there with two boards having practically the identical name. I am wondering if we should not call it the Agricultural Development Board and that would clarify the matter, I believe.

HON. D.H.HARWICK: It is Industrial and Development.

HON. V.G.JOHNSON; Development Board. It would have to be Agricultural and Industrial

MR.CHAIRMAN: Well, it has been suggested that the clause be amended by adding the words "Agricultural and Industrial Development Board"to make it quite clear.

HON.V.G.JOHNSON: This is a law that any amendments would have to be agreed on by Caribbean Development Bank but I am sure that an amendment such as that would be acceptable to them, the name is a matter for us to decide. I agree with the Member that we should not have two bodies in the country with the same name and that we should, perhaps, name this the Agricultural and Industrial Development Board.

QUESTION PUT: AGREED: CLAUSE 3 AS AMENDED PASSED.

HON.D.H.HARWICK: There will also be a consequential amendment in clause 2, I do not know whether you would wish to put that now or perhaps the Clerk could remind you when we have been right through the bill. The definition of "Board" will have to read "Board" means the Agricultural and Industrial Development Board.

MR.CHAIRMAN: If there is no objection to that, the Clerk will simply make the amendment.

CLERK: CLAUSE 4 MEMBERSHIP AND CONSTITUTION.

QUESTION PROPOSED:

MR. GARSTON SMITH: Mr.Chairman, may be the learned Attorney General could clarify this - where it reads in clause 4 "Members shall hold office for such period not ordinarily three years and the Governor may direct", I would think, Sir, it should be "as the Governor may direct".

HON. D.K.DARWICK: We will make that amendment.

MR. GARSTON SMITH: Thank you, Sir.

QUESTION PUT: AGREED. CLAUSE 4 PASSED, AS AMENDED.

CLERK: CLAUSE 6 FUNCTIONS OF THE BOARD.

QUESTION PUT: AGREED: CLAUSE 5 PASSED.

CLERK: CLAUSE 6 POWERS OF THE BOARD.

QUESTION PUT: AGREED: CLAUSE 6 PASSED.

CLERK: CLAUSE 7 BORROWING POWERS.

QUESTION PUT: AGREED: CLAUSE 7 PASSED.

CLERK: CLAUSE 8 POWER TO LEND MONEY.

QUESTION PUT: AGREED: CLAUSE 8 PASSED.

CLERK: CLAUSE 9 APPLICATION OF LOAN

QUESTION PUT: AGREED: CLAUSE 9 PASSED.

CLERK: CLAUSE 10 OFFENCES IN RESPECT OF LOANS

QUESTION PROPSED

HON. D.K.DARWICK: There is a correction to be made so that clause, Sir, immediately following the figures "10" at the beginning of the clause there is a figure (1) but no there is no sub-clause (2) that should be struck out.

MR. CHAIRMAN: If there is no objection, the Clerk will make that amendment.

QUESTION PUT: AGREED: CLAUSE 10, AS AMENDED PASSED.

CLERK: CLAUSE 11 PENALTYS.

QUESTION PUT: AGREED: CLAUSE 11 PASSED.

CLERK: CLAUSE 12 MINUTES.

QUESTION PUT: AGREED: CLAUSE 12 PASSED.

CLERK: CLAUSE 13 FUNDS AND RESOURCES OF THE BOARD.

QUESTION PUT: AGREED: CLAUSE 13 PASSED.

CLERK: CLAUSE 14 POWERS TO THE GOVERNOR.

QUESTION PUT: AGREED: CLAUSE 14 PASSED.

CLERK: CLAUSE 15 PROCEDURE AT MEETINGS OF BOARD.

QUESTION PUT: AGREED: CLAUSE 15 PASSED.

CLERK: CLAUSE 16 OFFICERS OF THE BOARD.

QUESTION PUT: AGREED: CLAUSE 16 PASSED.

CLERK: CLAUSE 17 EXECUTION OF DOCUMENTS.

QUESTION PUT: AGREED: CLAUSE 17 PASSED.

CLERK: CLAUSE 18 POWER TO MAKE BY-LAWS.

QUESTION PUT: AGREED: CLAUSE 18 PASSED.

CLERK: CLAUSE 19 ACCOUNTS AND AUDIT

QUESTION PUT: AGREED: CLAUSE 19 PASSED.

CLERK: CLAUSE 20. REPORT

QUESTION PUT: AGREED: CLAUSE 20 PASSED.

HON. C. HAIR BODDEN: Mr.Chairman, just before you go on to the title, the Attorney General has given the assurance that in publishing the law he will separate it into parts - this was requested by the Bank.

MR. CHAIRMAN: I think this can be done, between the Attorney General and the Clerk before assent.

CLERK: A LAW TO ESTABLISH A CORPORATE BODY, TO PROMOTE AGRICULTURAL AND INDUSTRIAL DEVELOPMENT IN THE CAYMANS AND TO DEFINE ITS POWERS IN THAT BEHALF.

QUESTION PUT: AGREED: TITLE PASSED.

THE LAND HOLDING COMPANIES (TRADE CLASSES) (AMENDMENT) (NO.2) LAW, 1976.

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED.

CLERK: CLAUSE 2 REPEAL AND REPLACEMENT OF SECTION 4 OF LAW NO.14 OF 1976

QUESTION PUT: AGREED: CLAUSE 2 PASSED

CLERK: A LAW TO AMEND THE LAND HOLDING COMPANIES (TRADE CLASSES) TAX LAW

QUESTION PUT: AGREED: TITLE PASSED.

THE TRAFFIC (AMENDMENT) LAW, 1978

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED

CLERK: CLAUSE 2 LAW 14 OF 1973 AMENDED.

QUESTION PROPOSED:

HON. D. K. BANWICK: Sir, I have amendments down in my name, these I think have now been circulated but only within the last few minutes. Before dealing with the two amendments which are down in my name, I would like to draw attention to an amendment which I think can be made at the Table, if Members agree. Paragraph (b) of the amendments should, of course, read "section 10" and not "100". The other small amendments which I am proposing, Sir, firstly occur in paragraph (a) so that there is no doubt of what is intended by the reference to the word "EAST" which is being inserted into sub-section (4) of 62 of the law - the insertion reads "EAST of this road" without that just "West". It is not perhaps essential but I think it does make that amendment clearer.

The second amendment which I am proposing, Sir, is one of substance and I think on reflection it will be one which all Members feel that they are able to support. It is the insertion of the words "who has reasonable cause to believe that such person has committed an offence under this section" immediately following the word "Constable" in that new sub-section which is being added to section 62 by paragraph (a) of the amendment. This will provide, I think, the safe-guard which is normally found in the common law that people who have the authority of the statute will not be entitled to exercise that authority unless there is reasonable cause for them so to do.

MR. CHADDOCK EVANS: Mr. Chairman, not so long ago this House dealt with majority age and I would like to say, Mr. Chairman, that I am not attempting in any way to reduce any safety measures that might be imposed on motorists, because I feel that we cannot be too safe on our roads and every effort should be made to enforce safety measures to motorists. I know we do not have any control over one when they get behind the wheel, but as far as I am concerned, there is some discrepancy into the groups as laid out with drivers or obtaining drivers' licenses.

Recently, a taxi driver's licence (which I am told is not a driver's licence, it is only a permit) but it is that or not - you can, at the age of 18, you can get a taxi driver's licence, but it has been brought back that a motor driver's license should extend beyond that. Under the law a taxi is up to 8 passengers, a vehicle with 9 passengers, 10 passengers and over is an omnibus. Then if normally one is trusted to drive 8 people as a taxi, why they cannot be trusted to drive 10 as an omnibus? It just does not quite make sense to me, Mr. Chairman.

Then it could be that someone is in possession of Group 4 license which it states in Group 4 "vehicles in group 2 and 3 and all other vehicles except Group 4 and 5" - well that's motor cycle, that is understandable. But this Group 4 then would allow you to drive any type vehicle to the biggest, the smallest truck, bus or anything else, except a bus is considered an omnibus as a paying-fare vehicle.

MR. HADDOCK SPARKS (CONTINUING): You must have a separate license to drive 10 passengers, but you can drive any other type vehicle into the Group 4, regardless of the size with a regular driver's license. Then if one can qualify for a taxi driver's license one can also qualify for other driver's license as well - I mean it ought to cover this.

The Traffic Department's argument that to obtain a taxi driver's license you have to be in possession of a regular driver's license. Other than that you could not have one, or you could not get a taxi driver's, but you must still have both. Then if I have a lorry and I have a family car, then after I qualify for a taxi driver's license why cannot I drive my family car under a lorry driver's license? It is not the value of it's a year difference, but it is $10, then you pay $5 for the regular license a year, you pay $5 for the taxi driver's license a year, the same way. It is not the value of it, to me it just does not make sense.

When under the same regular license I can drive a 10-ton truck and it has not defined what "other vehicles" means. Then it looks as if taxis ought to come under this or other vehicles and if you qualify for Group 4 then the commercial license is a taxi license, or whatever you want to call it, should cover all of these, all in one.

I just cannot see it, I just cannot see the reason for it. So as this is, Mr. Chairman, I just cannot understand. Because as I say we have dealt with majority age recently, the majority can now reduced to 18 for everything, except standing for election. He can do his bank business, he can do his mortgage business, he can do any business he wants to do, and now you are going to tell him that he cannot drive an omnibus until he gets 20 or 21 - when he might have driven that for his career? Still he can drive 9 passengers as a taxi but he cannot drive 10. I do not know if somebody can see different from this or I am seeing it and clear it up. I would be glad if it could be cleared up, but I just cannot see it, Mr. Chairman.

HON. CHARLES KINGSLEY: Mr. Chairman, on this particular amendment, Sir, we have already reduced the age from 21 to 18, but this amendment has nothing or to do with the age of majority law. The 2 years which applicants must drive after first obtaining a license, the emphasis is on experience. You cannot equate a small taxi with a big bus - you have responsibilities that you are responsible for 50 or 60 children and you cannot allow an inexperienced youth to be in control of this vehicles.

In other countries, and I cite the U.K. as one, they have said that a person must have 3 years experience, it is only because the traffic on our roads is so little that we can even today sit down and consider reducing it to this age. I am afraid, Sir, that I cannot agree with any reduction on what we have here before us.

MR. HADDOCK SPARKS: Mr. Chairman, what I would like clarified - I am not talking about a school bus with 40, or 45 or 75 children - the law says an omnibus is 10 passengers, Sir, and an omnibus is a school bus with 30 passengers, 15 passengers, whether they are students or students not. And if John Brown can drive 10 people safely as a taxi driver, then he will, not to be restricted from driving 10 what is an omnibus. I am not thinking in terms of a school bus, I am thinking generally, because it could be public transport that would carry more than 10 passengers, and I am saying, Mr. Chairman, it is unfair for a taxi fellow to drive 9 passengers and he cannot drive 10 because it is an omnibus.

HON. CHARLES KIRKCONNELL: Mr.Chairman, there has to be a limit on everything and the limit here is on 8. After you cross 8 then you come into the classification of an omnibus - under that it is a heavy driver - you limit the responsibility of the driver, and at some point, one has to draw a line, and the line has been drawn at 8.

MR. CRADDOCK EVANS: Mr.Chairman, a line has to be drawn somewhere, but it ought to be sensibly drawn. I would further like clarified what "other vehicles" in this paragraph means. Who can tell me then what "other vehicles" means that should be added to this or come under this? It is spelt out in plain words "all other vehicles". I would like to know at this stage then what "all other vehicles" means?

HON. D.H.FOSTER: In what section is - (c) (d) or what?

MR. CRADDOCK EVANS: (c)

MR. GEORGE SMITH: Mr.Chairman, I think what is meant here, Sir, is vehicles like a bull-dozer, travelling on the road - a roller, for example, a crane, vehicles in this category. Like - should we say, Heavy equipment, generally speaking.

MR. CRADDOCK EVANS: Mr.Chairman, then to me, so far as I am concerned that type of motor vehicles - that is considered heavy equipment or machinery, because you could not be operating a bull-dozer on a road, you would not call that a vehicle.

HON. CHARLES KIRKCONNELL: Mr.Chairman, the only reference to all other vehicles is really in section c and I do not see this done in any other, and the other vehicles, as explained by the Second Elected Member for George Town, refers to just what he said - back-hoes, bull-dozers, or other equipment of this type. This is the wording that I have here.

HON. D.H. DAWICK: A vehicle is defined in the Act should to include every type of wheeled or tracked vehicle capable of being driven or towed on the road but does not include animal-drawn carts or carriages, hand-carts, barrows or baby carriages.

MR. CRADDOCK EVANS: Then, Mr.Chairman, where would a bull-dozer and such as that come in?

HON. D.H.DAWICK: That would be included in (d).

MR. CRADDOCK EVANS: I still would not call it a vehicle, I would call that a piece of machinery or heavy equipment, not a vehicle that has wheels or tires on travel on the road. I mean you do not call a sailing schooner a motor ship, a motor vessel - one of them operating by sail, the other by a propeller and an engine, so do not get this muddled and try to embed or cover up one thing into another.

I realize, Mr.Chairman, we have people that Government brings in here to fill positions and posts from time to time and they work out their way of doing things, many of them are put up in a two or three bedroomed house what they were where they come from. And if statistics are followed down, we will find that most of those who come here they had some years in Africa before coming here, and they find that the same thing that applied

MR. CRADDOCK EVANS: (CONTINUING) to Africa should apply here as well, and this is one of the cases now that is being presumed on motorists to get a taxi separated, not a driver's license, but just a permit and in the hands of the Commissioner of Police to disqualify a taxi driver if he or she feels so to do. I thought that is what we had the Magistrate courts for, to deal with traffic offenders and not the Commissioner of Police.

HON. CHARLES KIRKCONNELL: Mr. Chairman, I think what the Member for North Side is talking about is what we term a license, but you could call it a permit or anything else. It was causing the traffic Department considerable amount of administration difficulty and they proposed to Executive Council that we issue taxi drivers with a license and a privilege attached. This enabled them, Sir, to administer the issuing of taxi licenses and to control them better. For instance it is to an advantage for a person to have both a taxi and a full license besides. Should he go to the courts and be now committed on offence under the Taxi Regulations his taxi license will be withdrawn. If he did not have a taxi driver's license and he had a full driver's license only, the Judge would disqualify him from driving his private car. Whereas it has eliminated this problem and if he commits an offence, his taxi driver's license is withdrawn or cancelled for a period of time but he is still permitted to drive his own motor vehicle, so this has been an added improvement, both in administration and in fairness to the person holding both permits and a full driver's license.

MR. CRADDOCK EVANS: Mr. Chairman, the reason why I go to Courts so much as I do is to get a little bit of more common understanding knocked in my bucket. I have not in there and I have heard the Magistrate disqualify people for driving their motor cars getting in accidents, and everything that goes along with it, disqualify them from driving their car or any other type of vehicle for X years. So that does not bear a drop of water in the bucket as far as I am concerned, Mr. Chairman, that is another channel of ignorance, as far as I am concerned, because when the Judge finds you guilty and within the law that he can disqualify you from one vehicle he can disqualify you from any group of vehicles that you drive. And I have seen this done. A fellow would say well, I am driving a truck and he says well you will have to use a wheel-barrow now for a change.

And as for safety measures - Mr. Chairman, I supported this one hundred per cent. I think I suggested when we were talking about taxes - because we have a lot of people out here representing the taxis, but they should not be - they should have attached to the back-seat of the car so the passengers riding it could see a photo of the driver, his name, his address, his telephone number, his age, how everything, so that if the taxi driver in anyway rude the passenger would have these particulars and we can apply to the right source to have him dealt with. So I am not trying to disarm or to abrogate the proper procedure or measures of safety for the taxis or anything else, or anybody on the road. I would just like to see things done sensibly and for the benefit of all concerned, not just for a few people.

CAPT. K.F. TIBBETTS: Mr. Chairman, is there any type of examination or how do they get a license to drive an omnibus? This part is not clear to me and I do not know if the regulations have it clarified or not but I believe this should be the guiding factor in the age. When we were discussing the age of motoring I was the one that suggested that before a person is granted a taxi driver's license, he must have a year's experience. I do not know you whether there is any type of examination for it, that is why I am bringing it up here now and if a person drives for a year, stands an examination to drive a taxi, there is no reason why

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON TUESDAY, 28TH NOVEMBER, 1972

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. - PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.R. BARWICK, O.B.E.	SECOND OFFICIAL MEMBER
HON. V.C. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. G. HAIG MOSIER	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

ELECTED MEMBERS

MR. CALMAIN O. KNAIRS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. GARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. ESTHERLEEN L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE HOLDEN DOUGLAS, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH A. FIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE LESSER ISLANDS
MR. JOHN B. McLEAN	MEMBER FOR THE SIXTH ELECTORAL DISTRICT OF EAST END

ABSENT: HON. JAMES M. HUTCAN
HON. TRUMAN M. BODDEN - OUT THE ISLAND.

ORDERS OF THE DAY

SIXTH DAY

TUESDAY, 28TH NOVEMBER, 1978

1. REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1979 AND THE APPROPRIATION (1979) LAW, 1978
BY CHAIRMAN, HON. V.G. JOHNSON, FINANCIAL SECRETARY AND THIRD OFFICIAL MEMBER.

2. EDUCATION POLICIES.
PAPER FROM THE HONOURABLE MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

3. GOVERNMENT BUSINESS:-

(a) THE CUSTOMS (AMENDMENT) (NO. 2) LAW, 1978 - THIRD READING.

(b) THE PETROLEUM HANDLING AND STORAGE (AMENDMENT) LAW, 1978 - THIRD READING

(c) THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1978 - THIRD READING

(d) THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) (NO. 2) LAW, 1978 - THIRD READING

(e) THE TRAFFIC (AMENDMENT) LAW, 1978 - THIRD READING.

(f) THE APPROPRIATION (1979) LAW, 1978 - THIRD READING.

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4.	Adjournment	9

Tuesday, 20th November, 1979.
10 a.m.

MR. PRESIDENT: Proceedings are resumed.

REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1979 AND THE APPROPRIATION (1979) LAW, 1979.

HON. V. G. JOHNSON: Mr. President, I have pleasure in presenting to this Honourable House the report of the Finance Committee. As you know, Mr. President, the Appropriation (1979) Bill 1979, was referred to the Standing Finance Committee together with the draft Estimates of Revenue and Expenditure for 1979, to be dealt with in the usual manner that all estimates and Appropriation Bills are dealt with year by year.

The Committee met on three occasions, Thursday and Friday of last week and Monday of this week. It completed all the business for it in the three days. I think the three days was the shortest session to my recollection which the Finance Committee had dealt with the budget. The meetings were very well attended, I should say, and much interest in the business was displayed in the debate which ensued.

A few points which drew very strong comments from members, Mr. President, I will mention here because they are, in fact, reported in the statements before the House, and I promised the Committee that I would acquaint you with them and to further say that Members would wish to meet with you at a convenient time to discuss them further.

The first one is one which I view with a bit of seriousness, and that is the proposal to reduce and remove, eventually, gratuity to contracted Officers. The members would wish that all future appointments to the Civil Service, that is contract recruitment beginning in 1979, be based on present conditions in the service on the benefits attached to such employment, less, of course, the gratuity element of it (which in some cases as you know, Mr. President, is a very attractive part of the inducement). They thought that a sum of approximately $400,000 per annum, which is now the amount provided for annual gratuities, should be voted each year for a period of up to five years and that this amount be kept in a separate account from which Government would meet pension benefits and claims by local Civil Servants. As I said before, Mr. President, this is a fairly fragile subject, one which I will not care to comment on any further at this stage, but one which requires careful thought, and I would say discussion and direction from you as Governor, and as head of the Civil Service.

Another point which was made by the members was this, they felt that Civil Servants form a part of the electorate of these Islands and as such, they should be free to discuss with their elected representatives any matters affecting their well being, whether this is in connection with their employment in the Civil Service or whether it affects their domestic affairs. Members thought that it should be so arranged that Civil Servants should not be deprived of the privilege under the rules of the Civil Service of approaching their Members in their spheres; again, Mr. President, this is another matter which must be discussed with you in your capacity as Governor and head of the Civil Service.

We will now go on to some of the main points in the Estimates. The first of these was a fairly long debate on an item under Head 6 Personnel and Management Services, that item was the provision for an O and M Officer, under the Personnel Emoluments section of the Department. After the debate the post was deleted because it was thought by Members that the services of an O and M Officer could be recruited on a shorter term arrangement and that they would have no objection at any time to provide the financing for such an appointment, but they did not see that it was necessary to provide the provision under an established post in the Estimates.

HON. V. C. JOHNSON: (CONTINUING).

Second was the strongly debated subject of increase to the Civil Service; this was also looked at by Finance Committee and I think at the end of the debate here last week it was decided that the final issue would rest with Finance Committee, and so it did. It was recommended by Finance Committee that the lower grades of the Civil Service should be awarded 12½%, and that the upper grades be awarded 10% increase. The tapering between the 12½% and the 10% would begin just below and after the point of $1,000 per month salary.

During these discussions, Mr. President, a point which was of some concern to the Committee was the job evaluation which was done during the course of this year, which became effective on the first of July, and which resulted in the down grading of a few posts. Now, I should say that members were not concerned about the posts, they were rather concerned of the fact that Caymanians would succeed the present holders of the posts who were expatriates. It was thought that the main reason for down-grading the posts was because Caymanians would be appointed to them in due course. Two such posts were the Director of Broadcasting and the Librarian of the High School.

The level of the former, that is the Director of Broadcasting, was maintained to what it was before; in the case of the latter there was a compromise and this was to grade the post slightly below the present level since, after some discussion, it was agreed that the post was too highly graded in the first instance, and so members of the Committee were satisfied to do a slight down-grading of the post.

Mr. President, I will now deal with a few additions to the Estimates. In 1977 and 1978, Government was requested to provide funds under special arrangements to assist in the cost of Pirates' Week celebration because there were no budgetary provisions for this. The Member for the Portfolio requested that in 1979 the Estimates should carry a provision of $12,000 under Head 21 Administration, Tourism, Aviation and Trade; this was approved by Finance Committee and the sum was inserted in Estimates.

There are also two items for mention under Capital Expenditure. The first is the South Sound Recreation Hall; the South Sound Recreation Hall was planned to be built partly by community effort and partly by Government. However, Government contributed $10,000 during this year and the community was only able to raise a few hundred dollars. It was therefore a matter of how the project would be completed. Finance Committee decided that since the property is Government's and since Recreation Halls are being built for other Districts by Government, the South Sound project should be complete by Government. The balance which is required to complete the building is $14,000 and this amount was approved and inserted in the 1979 Estimates.

A token provision of $1/- was also requested by the Member for Health Education and Social Services under a new item Handicap Schools. The Member explained that he intends to put forward in 1979 plans for the establishment of the Handicap School and for the necessary equipment and facilities.

Mr. President, before leaving the Estimates, I would like to speak briefly on a matter, if you wish to rule me out of order at any time you may do so, Sir. It was a subject which was debated here last week pertaining to the budget and it is the subject of foreign student tuition fees at the High School. Mr. President, I was rather surprised to see the matter ridiculed in the editorial of the Compass of the twenty-fourth of November. I have no objection to the press mentioning what was debated in this Honourable House but to take it upon themselves to delve deeper into the subject when Government had not yet even devised the scheme or put together the plan, it was just mentioned here casually, it is my opinion that the release in the editorial was unkindly, unpleasant, and to say the least, unchivalrous, because the article is entirely prejudicial to the proposal. The editorial staff of the Compass is made up of all Caymanians and for that reason they should have refrained from those remarks at that early stage. While they were writing that inciting story in defence of expatriates and their contribution to the country (and Mr. President, let me say this, I want here to acknowledge that fully, that expatriates are contributing to this country), yet there were many of these

HON. V. C. JOHNSON: (CONTINUING). expatriates who express delight in making a contribution to Government for the privilege of the services of High School, because some of them even stated embarrassment at times to receive total freedom when they know that this results in costing the Government so much. I believe, Mr. President, that in time there will be a balanced view on the subject and that there will be no cause for alarm or concern; I think this is the stage when the editorial could come forward and express some view if they wished.

We must remember that here in the Cayman Islands contribution is not a one way street all together as the editorial tried to put it, in fact, Mr. President, I think that the Caymanian Compass should change it's name and be known instead as the Non-Caymanian Compass.

Mr. President, as I said before we spent only three days in Finance Committee, it was a short session, the shortest that I know of; it was a pleasant meeting and I want here to thank all Members for their very valuable contribution and I am sure that we all will see the results of our work in 1978, I am sure that it will be a very prosperous year.

Mr. President, I now have to report that a Bill entitled, The Appropriation (1978) Law, 1978 was considered clause by clause by the Finance Committee and passed with the following amendments:-

In section 2 both the marginal note and the body of the section, the amount of ----------$18,707,124 replaced by $18,704,644
In the schedule Head 6 Personnel and Management Services the sum of----------$ 733,130 replaced by $ 710,650
Under Head 6 Planning and Development the amount of----------$ 2,328,438 replaced by $ 2,304,438
Head 15 Social Services, Probation and Welfare the amount----------$ 287,880 replaced by $ 271,154
Head 17 Department of Agriculture the amount----------$ 730,308 replaced by $ 240,208
Head 19 Mosquito Research and Control Unit, the amount----------$ 667,138 replaced by $ 643,630
Head 21 Administration, Tourism, Aviation and Trade, the amount----------$ 351,488 replaced by $ 346,488
New Services the amount----------$ 383,078 replaced by $ 358,578
Under 40 Unemployment & Local funds, the amount----------$ 2,590,677 replaced by $ 2,516,677
The total below is amended from----------$18,707,124 replaced by $18,704,644

These are all the amendments, Mr. President.

MR. PRESIDENT: Under Standing Order 64, the report of the Finance Committee lies on the table, and the Bill is set down for third reading at the later stage.

EDUCATION POLICIES

HON. G. HAIG BODDEN: Mr. President, I beg to lay on the table a paper entitled Education Policies.

MR. PRESIDENT: So ordered.

THIRD READINGS

CLERK: (a) THE CUSTOMS (AMENDMENT) (NO 3) LAW, 1978

(b) THE PETROLEUM HANDLING AND STORAGE. (AMENDMENT) LAW, 1978.

(c) THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1978.

(d) THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) (NO 2) LAW, 1978.

(e) THE TRAFFIC (AMENDMENT) LAW, 1978.

(f) THE APPROPRIATION (1978) LAW, 1978.

HON. V. G. JOHNSON: Mr. President, I beg to move, Sir, that a bill entitled The Customs (Amendment) (No 3) Law, 1978 be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. C. HAIG BODDEN: Mr. President, I move that a Bill entitled The Petroleum Handling and Storage (Amendment) Law, 1978 be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

HON. G. HAIG BODDEN: Mr. President, I move that a Bill entitled The Agricultural and Industrial Aid Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. V. G. JOHNSON: Mr. President, I beg to move Sir, that a Bill entitled The Land Holding Companies Share Transfer Tax (Amendment) (No 2) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. CHARLES L. KIRKCONNELL: Mr. President, I move that a Bill entitled The Traffic (Amendment) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

HON. V. G. JOHNSON: Mr. President, I beg to move Sir, that a Bill entitled The Appropriation (1978) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

ADJOURNMENT

MOVED BY: D. K. FOSTER.

QUESTION PROPOSED.

MISS. ANNIE HULDAH BODDEN: Mr. President, before we adjourn this meeting, which I am very sure will be the last one for this year 1978, I would like to say, Sir, that we all thank you very much indeed for the services you have rendered to this Colony, the part you have played in making this year that is about to end such a success. And I pray God's richest blessing on you, Sir, and your family and this entire House, and I would implore all of us Members one and all, ladies and gentlemen, to work together in harmony for the good will of this Colony.

I would also like to say Sir, a thank you to Mrs. McLaughlin and her staff; they have performed great work. You know sometimes, Mr. President, when I hear about a lady being in charge of a

MISS. ANNIE HULDAH KIRKCONNELL (CONTINUING). Department, sometimes I think to myself, well, a man would do a better job, but in this instance I must say there is not a man in the Cayman Islands that could replace her for the services she has rendered to us and all. And may God bless us all and may we continue in this prosperous way that we have passed through this year, thank you, Sir.

MR. PRESIDENT: If there are no other speakers, before I put the question, I would like to thank the lady Member for her remarks, wish all Members and their families a very merry Christmas and a Happy New Year. I think we would all like to pay a tribute to the Honourable Financial Secretary for piloting our annual budget through the House with such skill and such speed. The Clerk's office, I think deserves full marks for keeping up with him and with Members: it has helped us to dispose of a very large range of business in record time, I think, for a budget meeting, one fortnight from the time we started.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED SINE DIE AT 10.50 a.m.

FOURTH MEETING AND BUDGET SESSION OF THE LEGISLATIVE ASSEMBLY
HELD ON TUESDAY, 24TH NOVEMBER, 1970

PRESENT WERE:-

HIS EXCELLENCY THE GOVERNOR, MR. THOMAS RUSSELL, C.B.E. - PRESIDING

GOVERNMENT MEMBERS

HON. D.H. FOSTER, M.B.E., J.P.	FIRST OFFICIAL MEMBER
HON. D.R. BARWICK, O.B.E.	SECOND OFFICIAL MEMBER
HON. T.G. JOHNSON, O.B.E., J.P.	THIRD OFFICIAL MEMBER
HON. G. HAIG BODDEN	MEMBER FOR AGRICULTURE, LANDS AND NATURAL RESOURCES
HON. CHARLES L. KIRKCONNELL	MEMBER FOR COMMUNICATIONS, WORKS AND LOCAL ADMINISTRATION

ELECTED MEMBERS

MR. DALMAIN D. EBANKS	FIRST ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. J. CARSTON SMITH	SECOND ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MRS. BENJAMINA L. EBANKS	THIRD ELECTED MEMBER FOR THE FIRST ELECTORAL DISTRICT OF WEST BAY
MR. GEORGE C. SMITH	SECOND ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
MISS ANNIE HULDAH BODDEN, O.B.E.	THIRD ELECTED MEMBER FOR THE SECOND ELECTORAL DISTRICT OF GEORGE TOWN
CAPT. KEITH P. TIBBETTS, J.P.	FIRST ELECTED MEMBER FOR THE THIRD ELECTORAL DISTRICT OF THE SISTER ISLANDS
MR. JOHN D. McLEAN	MEMBER FOR THE FIFTH ELECTORAL DISTRICT OF EAST END

ABSENT: HON. JAMES M. BODDEN
HON. TRUMAN M. HIRST - OFF THE ISLAND.

ORDERS OF THE DAY

SIXTH DAY

TUESDAY, 25TH NOVEMBER, 1975

1. REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1976 AND THE APPROPRIATION (1976) LAW, 1975
BY CHAIRMAN, HON. J. G. JOHNSON, FINANCIAL SECRETARY AND THIRD OFFICIAL MEMBER.

2. EDUCATION POLICIES.
PAPER FROM THE HONOURABLE MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR HEALTH, EDUCATION AND SOCIAL SERVICES.

3. GOVERNMENT BUSINESS:-

(a) THE JUSTICES (AMENDMENT) (NO. 2) LAW, 1975 - THIRD READING.

(b) THE PETROLEUM HANDLING AND STORAGE (AMENDMENT) LAW, 1970 - THIRD READING

(c) THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1975 - THIRD READING

(d) THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) (NO. 2) LAW, 1975 - THIRD READING

(e) THE TRAFFIC (AMENDMENT) LAW, 1975 - THIRD READING.

(f) THE APPROPRIATION (1976) LAW, 1975 - THIRD READING.

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	(b) The Petroleum Handling and Storage (Amendment) Law, 1978	
	(c) The Agricultural and Industrial Aid Law, 1979.	
	(d) The Land Building Companies Share Transfer Tax (Amendment) (No 2) Law, 1978	
	(e) The Traffic (Amendment) Law, 1978	
	(f) The Appropriation (1979) Law, 1978	
4.	Adjournment	4

Tuesday, 28th November, 1978.
10 a.m.

MR. PRESIDENT: Proceedings are resumed.

REPORT OF THE STANDING FINANCE COMMITTEE ON THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1979 AND THE APPROPRIATION (1979) BILL, 1978.

HON. W. G. JOHNSON: Mr. President, I have pleasure in presenting to this Honourable House the report of the Finance Committee. As you know, Mr. President, the Appropriation (1979) Bill 1978, was referred to the Standing Finance Committee together with the draft Estimates of Revenue and Expenditure for 1979, to be dealt with in the usual manner that all estimates and appropriations bills are dealt with year by year.

The Committee met on three occasions, Thursday and Friday of last week and Monday of this week. It completed all the business for it in the three days. I think the three days was the shortest session to my recollection which the Finance Committee had dealt with the budget. The meetings were very well attended, I should say, and much interest in the business was displayed in the debate which ensued.

A few points which drew very strong comments from members, Mr. President, I will mention here because they are, in fact, reported in the statements before the House, and I promised the Committee that I would acquaint you with them and to further say that Members would wish to meet with you at a convenient time to discuss them further.

The first one is one which I view with a bit of seriousness, and that is the proposal to reduce and remove, eventually, gratuity to contracted Officers. The members would wish that all future appointments to the Civil Service, that is contract recruitment beginning in 1979, be based on present conditions in the section on the benefits attached to such employment, less, of course, the gratuity element of it (which in some cases as you know, Mr. President, is a very attractive part of the inducement). They thought that a sum of approximately $500,000 per annum, which is now the amount provided for annual gratuities, should be rated each year for a period of up to five years and that this amount be kept in a reserve account from which Government would meet pension benefits and claims by local Civil Servants. As I said before, Mr. President, this is a fairly fragile subject, one which I will not dare to comment on any further at this stage, but one which requires careful thought, and I would say discussion and direction from you as Governor, and as head of the Civil Service.

Another point which was made by the members was this, they felt that Civil Servants form a part of the electorate of these Islands and as such, they should be free to discuss with their elected representatives any matters affecting their well being, whether this is in connection with their employment in the Civil Service or whether it affects their domestic affairs. Members thought that it should so be arranged that Civil Servants should not be deprived of the privilege under the rules of the Civil Service of approaching their members in these issues; again, Mr. President, this is another matter which must be discussed with you in your capacity as Governor and head of the Civil Service.

We will now go on to some of the main points in the Estimates. The first of these was a fairly long debate on an item under Head 6 Personnel and Management Services, the item was the provision for an O and M Officer, under the Personnel Emoluments section of the Department. After the debate the post was deleted because it was thought by Members that the services of an O and M Officer could be recruited on a shorter term arrangement and that they would have no objection at any time to provide the financing for such an appointment, but they did not see that it was necessary to provide the provision under an established post in the Estimates.

HON. V. G. JOHNSON: (CONTINUED).

Second was the strongly debated subject of increases to the Civil Service; this was also looked at by Finance Committee and I think at the end of the debate here last week it was decided that the final issue would rest with Finance Committee, and so it did. It was recommended by Finance Committee that the lower grades of the Civil Service should be awarded 14%, and that the upper grades be awarded 10% increase. The bracketing between the 14% and the 10% would begin just below and after the point of $1,000 per month salary.

During these discussions, Mr. President, a point which was of some concern to the Committee was the job evaluation which was done during the course of this year, which became effective on the first of July, and which resulted in the down-grading of a few posts. Now, I should say that members were not concerned about the perks, they were rather concerned of the fact that Caymanians would succeed the present holders of the posts who were expatriates. It was thought that the main reason for down-grading the posts was because Caymanians would be appointed to them in due course. Two such posts were the Director of Broadcasting and the Librarian of the High School.

The level of the former, that is the Director of Broadcasting, was recommended to what it was before; in the case of the latter there was a compromise and this was to grade the post slightly below the present level since, after some discussion, it was agreed that the post was too highly graded in the first instance, and so members of the Committee were satisfied to do a slight down- grading of the post.

Mr. President, I will now deal with a few additions to the Estimates. In 1977 and 1978, Government was requested to provide funds under special arrangements to assist in the cost of Pirates' Week celebration because there were no budgetary provisions for this. The Member for the Portfolio requested that in 1979 the Estimates should carry a provision of $18,000 under Head 21 Administration, Tourism, Aviation and Trade; this was approved by Finance Committee and the sum was inserted in Estimates.

There are also two items for sundries under Capital Expenditure. The first is the South Sound Recreation Hall; the South Sound Recreation Hall was planned to be built partly by community effort and partly by Government. However, Government contributed $10,000 during this year and the community was only able to raise a few hundred dollars. It was therefore a matter of how the project would be completed. Finance Committee decided that since the property is Government's and since Recreation Halls are being built for other districts by Government, the South Sound project should be complete by Government. The balance which is required to complete the building is $18,000 and this amount was approved and inserted in the 1979 Estimates.

A token provision of $10 was also requested by the Member for Health Education and Social Services under a new item Sunday Schools. The Member explained that he intends to put forward in 1979 plans for the establishment of the Sunday School and for the necessary equipment and facilities.

Mr. President, before leaving the Estimates, I would like to touch briefly on a matter, if you will kindly rule me out of order at any time you may do so, Sir. It was a subject which was debated here last week pertaining to the Budget and it is the subject of foreign student tuition fee at the High School. Mr. President, I was rather surprised to see the matter ridiculed in the editorial of the Compass of the twenty-fourth of November. I am no objection to the press mentioning what was debated in this Honourable House but to take it upon themselves to delve deeper into the subject when Government had not yet even devised the scheme or put together the plan, it was just mentioned here casually, it is my opinion that the reference in the editorial was untimely, indiscreet, and to say the least, unethical, because the article is entirely prejudicial to the proposal. The editorial staff of the Compass is made up of all expatriates and for that reason they should have refrained from such remarks at that early stage. While they were writing that inviting story in defense of expatriates and their contribution to this country (and Mr. President, let me say this, I stand here to acknowledge that fully, that expatriates are contributing to this country), yet there were many of those

HON. V. G. JOHNSON: (INAUDIBLE). equivalent who express delight in making a contribution to Government for the privilege of the newness of High School, because some of them even stated embarrassment at times to receive total revenue when they know that this service is costing the Government so much; I believe, Mr. President, that in time there will be a balanced view on the subject and that there will be no cause for alarm or concern; I think this is the stage when the editorial could come forward and express some view if they wished.

We must remember that here in the Cayman Islands communication is not a one way street all together as the editorial tried to put it, in fact, Mr. President, I think that the Caymanian Compass should change it's name and be known instead as the Non-Caymanian Compass.

Mr. President, as I said before we spent only three days in Finance Committee, it was a short session, the shortest that I know of; it was a pleasant meeting and I want here to thank all Members for their very valuable contribution and I am sure that we all will see the results of our work in 1979, I am sure that it will be a very prosperous year.

Mr. President, I now have to report that a Bill entitled, The Appropriation (1979) Law, 1978 was considered clause by clause by the Finance Committee and passed with the following amendments:

In section 2 both the marginal note and the body of the section, the amount of ---------- ----------$18,707,134 replaced by $18,794,140
In the schedule Head 6 Personnel and Management Services the sum of----------$ 733,130 replaced by $ 774,560
Under Head 8 Finance and Development the amount of----------$ 2,382,238 replaced by $ 2,382,938
Head 15 Social Services, Probation and Welfare the amount----------$ 887,684 replaced by $ 871,104
Head 17 Department of Agriculture the amount----------$ 130,208 replaced by $ 140,309
Head 18 Mosquito Research and Control Unit, the amount----------$ 607,150 replaced by $ 823,438
Head 27 Administration, Tourism, Aviation and Trade, the amount----------$ 330,188 replaced by $ 345,488
New Services the amount----------$ 365,076 replaced by $ 350,370
Under 49 Development A Local Funds, the amount----------$ 2,500,677 replaced by $ 2,518,277
The total below is amended from---------- $18,707,134 replaced by $18,794,140

Those are all the amendments, Mr. President.

MR. PRESIDENT: Under Standing Order 60, the report of the Finance Committee lies on the table, and the Bill is set down for third reading at the later stage.

EDUCATION POLICIES

HON. C. RAIG BODDEN: Mr. President, I beg to lay on the table a paper entitled Education Policies.

MR. PRESIDENT: So ordered.

THIRD READINGS

CLERK: (a) THE CUSTOMS (AMENDMENT) (NO 3) LAW, 1978

(b) THE PETROLEUM REFINING AND STORAGE (AMENDMENT) LAW, 1978.

(c) THE AGRICULTURAL AND INDUSTRIAL AID LAW, 1978.

(d) THE LAND HOLDING COMPANIES SHARE TRANSFER TAX (AMENDMENT) (NO 3) LAW, 1978.

(e) THE TRAFFIC (AMENDMENT) LAW, 1978.

(f) THE APPROPRIATION (1978) LAW, 1978.

HON. V. C. JOHNSON: Mr. President, I beg to move, Sir, that a Bill entitled The Customs (Amendment) (No 3) Law, 1978 be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. C. HAIG BODDEN: Mr. President, I move that a Bill entitled The Petroleum Refining and Storage (Amendment) Law, 1978 be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

HON. C. HAIG BODDEN: Mr President, I move that a Bill entitled The Agricultural and Industrial Aid Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. V. C. JOHNSON: Mr. President, I beg to move Sir, that a Bill entitled The Land Holding Companies Share Transfer Tax (Amendment) (No 3) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED

HON. CHARLES L. KIRKCONNELL: Mr. President, I move that a Bill entitled The Traffic (Amendment) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

HON. V. C. JOHNSON: Mr. President, I beg to move Sir, that a Bill entitled The Appropriation (1978) Law, 1978, be given a third reading and passed.

QUESTION PUT: AGREED BILL GIVEN A THIRD READING AND PASSED

ADJOURNMENT

MOVED BY: H. H. MCTAW.

QUESTION PROPOSED.

MISS. ANNIE HULDAH BODDEN: Mr. President, before we adjourn this meeting, which I am very sure will be the last one for this year 1978, I would wish to say, Sir, that we all thank you very much indeed for the services you have rendered to this Colony, the part you have played in making this year that is about to end such a success. And I pray God's richest blessing on you, Sir, and your family and this entire House, and I would implore all of us Members one and all, ladies and gentlemen, to work together in harmony for the good will of this Colony.

I would also like to say Sir, a thank you to Mrs. McLaughlin and her staff; they have performed great work. You know sometimes, Mr. President, when I hear about a lady being in charge of a

MISS. ANNIE HOLDEN WOMEN: (TRANSLATION). Mr. President, sometimes I think to myself, well, a man would do a better job, but in this instance I must say there is not a man in the Cayman Islands that could replace her for the services she has rendered to one and all. And may God bless us all and may we continue in this prosperous way that we have passed through this year, thank you, Sir.

MR. PRESIDENT: If there are no other speakers, before I put the question, I would like to thank the lady member for her remarks, wish all Members and their families a very merry Christmas and a Happy New Year. I think we would all like to pay a tribute to the Honourable Financial Secretary for piloting yet another Budget through the House with such skill and such speed. The Clerk's office, I think deserves full marks for keeping up with him and with Members; it has helped us to dispose of a very large range of business in record time, I think, for a Budget meeting, one fortnight from the time we started.

QUESTION PUT: AGREED. THE HOUSE ADJOURNED SINE DIE AT 10.50 a.m.